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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1579 OF 2017
IN
FIRST APPEAL (STAMP) NO.29017 OF 2016

Sudhir C. Rai ...Applicant

IN THE MATTER BETWEEN :

Bajaj Allianz General Insurance Co. Ltd. ...Appellant

V/s.

Sudhir C. Rai & Anr. ...Respondents

Mr.Devendranath S. Joshi for the Appellant.

Ms.Rina Kundu for the Respondent No.1 and for the Applicant in CAF
No.1579 of 2017.

CORAM : MRS.MRIDULA BHATKAR, J.
DATE : 12TH SEPTEMBER, 2017.

P.C. :-

1. Not on board. Upon mentioning, taken on board.
2. The applicant is moved for withdrawal of the amount of compensation. The applicant is the original claimant, who has filed the insurance claim before the Commissioner for Workmen's Compensation & Judge, Second Labour Court, Thane, who awarded the compensation of Rs.5,69,291/- along with interest at 12% p.a. plus medical expenses of Rs.75,000/-. Learned counsel for the

applicant submits that the applicant had suffered fracture bone and he is a driver by profession.

3. Learned counsel for the Insurance Company has submitted that the Insurance Company has good case that the applicant was not holding a valid licence and neither the employer and employee relationship nor any income are made out. Considered the injuries and the loss of income. The applicant is allowed to withdraw the amount of Rs.2,75,000/- subject to furnishing the usual undertaking before the Commissioner for Workmen's Compensation & Judge, Second Labour Court, Thane.

4. The civil application is hereby disposed of.

(MRS.MRIDULA BHATKAR, J.)