

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 7975 OF 2020
WITH
CIVIL APPLICATION NO. 3366 OF 2020
IN
FIRST APPEAL NO. 691 OF 2021**

Sagar Mhatardev Shekade ... Applicant
Versus
The Reliance General Insurance Co. Ltd. & Anr ... Respondents

....
Mr. V. M. Jaware, Advocate for applicant
Mr. Swapnil S. Patil, Advocate for respondent No.1
....

CORAM : R. G. AVACHAT, J.

DATED : 21st DECEMBER, 2021

PER COURT :-

. Heard.

2. The original respondent No.1 – claimant is the nephew of respondent No.2. Employer – employee relationship was sought to be forged between uncle and nephew. The injured was around 20 years of age. He claimed to have been working as a Cleaner on the truck of his uncle. The Commissioner has observed the appellant – Insurance Company has not laid any evidence to disbelieve version of the claimant.

3. The medical expenditure amounting to Rs.8,81,809/- has been incurred by the claimant. In view of the same, he is permitted to withdraw a sum of Rs.9,00,000/- (Rupees Nine Lakh).

4. There shall be no further withdrawal, pending the appeal.

5. The appeal shall be heard finally at the stage of admission.

6. Since the entire amount has been deposited, the application for stay stands disposed of with the interim order therein being made absolute.

7. Civil application for withdrawal of amount also stands disposed of.

[R. G. AVACHAT, J.]

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