



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

CIVIL APPLICATION NO. 14545 OF 2023 IN FAST/18928/2023

ANIL S/O MALHARI SHINDE

VERSUS

THE UNITED INDIA INSURANCE COMPANY LTD THROUGH BRANCH
OFFICER AND ANOTHER

...

Advocate for Applicant : Mr. Amol R. Gaikwad

Advocate for Respondent No.1 : Mr. S. S. Rath

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CORAM : S. G. MEHARE, J.

DATE : 02-02-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned counsel for respondent No.1/insurer.

2. It was a case under the Employees Compensation Act. The appellant preferred an appeal on the ground that there was no employer and employee relationship. The offending vehicle was not involved in the accident. There was inordinate delay in lodging the first information report.

3. The learned counsel for the applicant submits that the applicant has suffered permanent disablement out of vehicular accident. The defence of the insurer has been discarded.

4. Considering the dispute between the parties, the application deserves to be partly allowed. Hence, the order;

ORDER

- i) The application is partly allowed.
- ii) The applicant is permitted to withdraw Rs.7,00,000/- (Rs. Seven Lakhs Only) on furnishing undertaking that he will deposit the money, if the impugned judgment and award is reversed.
- iii) The balance amount be deposited in fixed deposit in any Nationalized Bank, till conclusion of the appeal, as per the rules.

**(S. G. MEHARE)
JUDGE**

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