



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

917 FIRST APPEAL NO. 1408 OF 2015

M/s Shriram General Insurance Company Ltd.

....Appellant

VERSUS

Archana Somakant Bankar And Another

.....Respondent

WITH

CIVIL APPLICATION NO. 6649 OF 2015

IN FA/1408/2015

Mr. A. P. Basarkar, Advocate for the Appellant

Mr. N. C. Garud, Advocate for the Respondent No. 1

CORAM : ABHAY J. MANTRI, J.

DATE : 06th AUGUST, 2026

PER COURT :

1. The Appellant being aggrieved by the interim order passed below Exh.5 in MACP No. 742/2012 dated 19-01-2015, thereby allowing the Application and directing the Appellant and Respondent No. 2 jointly to pay an amount of Rs. 25,000/- towards No Fault Liability to Respondent No. 1/original claimant.

2. Heard the learned Advocates for both the parties. Perused the impugned order and record.

3. Having heard the learned Advocates for both the parties and having gone through the record, the following point arises for

consideration;

‘whether interference is required in the impugned order’

4. The learned Advocate for the Appellant/insurance company vehemently contended that the Indica Car bearing registration No. MP-08-CA-7755 in question was not at all insured with the Appellant/Insurance Company at the time of accident. Therefore, the question of payment of the compensation by the Insurance Company does not arise. The cover note produced on record is of TVS Scooty bearing registration No. RJ-20-SG-2681. Therefore, he contended that the fake and fabricated documents were placed on record. The learned tribunal, without considering the same, has granted the amount. Therefore, he urged for setting aside the said order. Alternatively, he submitted that the learned Tribunal be directed to decide the claim Petition expeditiously and till then the amount deposited by the Insurance Company be kept in the Court till the conclusion of the claim Petition.

5. In response, the learned Advocate for the Respondent No. 1/claimant conceded to direct the learned Tribunal to expedite and decide the matter in a time-bound manner and agreed to keep the amount deposited by the Appellant with the Court till conclusion of the claim Petition.

6. Thus, the learned Advocate for both the parties submitted that this Appeal be disposed of with a direction to the learned Tribunal to decide the matter as early as possible within a period of six months. Similarly, they submitted that the amount of Rs. 15,588/- deposited by the Appellant be transferred to the learned Tribunal along with interest accrued thereon and the same should be kept with the Tribunal till the conclusion of the Claim Petition, i.e. till the decision of the controversy about the policy in question. Accordingly, they urged for setting aside the impugned order and direct the Tribunal to dispose of the matter at the earliest.

7. Having considered the above submissions and facts of the case, and the fact that since 2012 the Claim Petition is pending with the Tribunal, as such, without going into the merits of the matter, in the interest of justice, I deem it appropriate to dispose of the Appeal with the following directions.

8. **The Appeal is disposed of with the following directions.**

9. The impugned order passed below Exh. 5 in MACP NO. 742/2012 dated 19-01-2015 be kept in abeyance till conclusion of the Claim Petition.

10. The learned Registrar (J) is directed to transmit the amount of Rs.15,588/- deposited by the Appellant along with interest

accrued thereon to the learned Tribunal, Ahmednagar, forthwith.

11. The Tribunal shall keep the amount received with it till the conclusion of the Claim Petition.

12. The learned Tribunal is directed to expedite the Claim Petition and decide the same within six months from 07-09-2026 or the first date of appearance of the parties before the Tribunal, whichever is later. The Tribunal shall pass the appropriate order in respect of the amount transferred to it.

13. The parties to appear before the learned Tribunal on 07-09-2026.

14. R & P be sent back to the concerned Tribunal forthwith on or before 31-08-2026.

15. In view of the disposal of the Appeal, the pending Application, if any, stands disposed of.

[ABHAY J. MANTRI, J.]

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