

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

918. FA/175/2002 WITH CA/11752/2004 In FA/176/2002 WITH
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With CA/11757/2004 In FA/175/2002

NEW INDIA ASSURANCE CO.LTD
V/S
BHIMASHANKAR VENKATRAO MORE AND ORS

Mr. R.B. Deshmukh, Advocate for respondent No. 1.

CORAM : T.V. NALAWADE, J.
DATED : 15th December, 2015.

ORDER :

1. Nobody present for appellant. It appears that the proceeding is filed by one Insurance Company as it is aggrieved that the Tribunal held that it is the case of composite negligence and both the parties jointly held equally liable to pay compensation. Now one owner of the vehicle which was insured with other Insurance Company is dead and the matter as against that owner is dismissed by this Court. In view of this circumstance, the matter cannot be proceeded against the Insurance Company of that vehicle. One opportunity was given on 27.11.2015 and on that date also nobody had turned up for appellant. As no interest is shown to prosecute the matters, even against the claimants, the matters are dismissed. Civil Applications disposed of.

[T.V. NALAWADE, J.]

SSC/