

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 1311 OF 2014

- 1] Asma W/o Mohsin Shaikh
Age : 23 years, Occu.: H.H.
- 2] Fatima D/o Mohsin Shaikh
Age : 3 years, Minor U/G of
her real mother claimant no.1
- 3] Majjid S/o Mehboob Shaikh
Age : 68 years, Occu.: Nil
- 4] Khairunnissa W/o Majjid Shaikh,
Age : 60 years, Occu.: H.H.

All R/o. Gaus Pura Galli No.5,
Latur, Tq. Latur, Dist. Latur

.. Appellants
(Orig. Claimants)

VERSUS

- 1] Anil S/o Maruti Tope
Age : 35 years, Occu.: Driver of
Luxury Bus R/o Ujed, Tq. Nilanga
Dist. Latur
(Driver of Luxury Bus No.MH-24/J-8571)
- 2] M/s Vishwa Travels
Shop No.2 Udyog Bhavan, Shivaji Nagar,
Latur (Owner of Luxury Bus No.MH-24/J-8571)
- 3] National Insurance Company Ltd.,
Through it's Branch Manager
Opp. Bus Stand, Hanuman Chowk,
Latur

.. Respondents
(Orig. Respondents)

Mr. Amit S. Deshpande, Advocate for the appellants
None present for the respondents though served

CORAM : M.T. JOSHI, J.
DATE : 04/03/2015

ORAL ORDER :

1. Heard Mr. Deshpande.
2. None appears for the respondents, though duly served.
3. Considering the fact that the present appeal is against award passed by the learned Member of the Motor Accident Claims Tribunal in a Petition under section 140 of the Motor Vehicles Act, wherein the application of the present applicant for grant of amount towards the No-Fault Liability was dismissed and finding that the Motor Accident Claim Petition is of the year 2012, the present appeal is disposed of without any orders.
4. The learned Member of the Motor Accident Claims Tribunal is directed to decide the petition under section 166 of the Motor Vehicles Act within a period of six (6) months from the date of receipt of the R & P by it or from the date of appearance of the parties before it, whichever occurs later-on, without being influenced by the observations made by this Court while passing the present order on the prima-facie consideration.

5. The parties are directed to appear in the Tribunal on 17th April, 2015.

6. **R & P** be remitted back to the learned Tribunal.

7. First Appeal accordingly stands disposed of.

[M.T. JOSHI]
JUDGE

arp/