

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

CIVIL APPLICATION NO.6607 OF 2015
IN
FIRST APPEAL ST.NO.14212 OF 2015
WITH
FIRST APPEAL ST.NO.14212 OF 2015

The New India Assurance
Co.Ltd., through its
Branch Manager
Parbhani, through its
authorized Signatory
Ass.Div. Manager,
Aurangabad

..Applicant/
Appellant

Versus

Anil s/o Madhanrao Pimpale
and anr.

..Respondents

Mr Dhananjay Deshpande, Advocate for applicant/appellant

CORAM : N.W. SAMBRE, J.

DATE : 29th June 2015

PER COURT

1. This is an application for condonation of delay caused in preferring the present first appeal.
2. Having heard Mr Deshpande, learned Counsel for the applicant on merits of the matter, it is noticed that the present appeal is directed against the order passed by the Motor Accident Claims Tribunal, Parbhani directing the appellant to deposit Rs.25,000/- towards No Fault Liability.

3. The point of law that is sought to be raised by Mr Deshpande is the policy being third party policy, the claim petition is not at all tenable for the passenger with the vehicle in question.

4. The other aspect is looked into by the Tribunal and it is observed that the same will be taken into account at the time of deciding the main petition.

5. In view thereof, the Tribunal can pass appropriate orders having regard to the claim.

6. In view of above, the appeal fails, stands dismissed. Civil Application also stands dismissed.

7. The amount, if any deposited before this Court be immediately transmitted to M.A.C.T., Parbhani in M.A.C.P. No.107/2011. It is expected of learned Tribunal to take into account the points raised herein at the time of application made by claimant for withdrawal of amount.

(N.W. SAMBRE, J.)

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