

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram, Court's orders or Registrar's	Court's or Judge's orders.
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CIVIL APPLICATION NO. 12722 OF 2014
IN FA/856/2004

SANJAY NARHAR SONGIRE AND ANR
VERSUS
BABAN KASHINATH INGOLE AND ANR

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Advocate for Applicants : Mr. Nagarsoge Sahebrao A .
Advocate for Respondent No.2: Mr. D. S. Bagul.

CORAM: T. V. NALAWADE, J.
DATED: 9th DECEMBER, 2015.

PER COURT:

1. Both the sides are present. The application is filed for restoration of Civil Application No. 3047 of 2005 in First Appeal No.856 of 2004 which was dismissed. The main proceeding, appeal was filed by original claimants against the judgment and Award of Claims Tribunal and it was for enhancement of compensation amount. It appears that Respondent No.1 Baban, driver of the offending vehicle, which was owned by Respondent No.2, is dead. The Driver is not necessary party to the present

proceeding and so on the request made by learned counsel for the Applicant, the driver is allowed to be deleted. Amendment to be carried out in all the proceedings. Present application is allowed and Civil Application No.3047 of 2005 is also allowed and the order of dismissal of the first appeal is set aside. The appeal is restored to its original position.

2. List the main appeal for final hearing on 22nd January, 2016.

3. Call R.& P. from the Tribunal, if it is not already called.

[T.V. NALAWADE, J.]

Dt.09/12/2015
ans/12722