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IN THE HIGH COURT OF JUDICATURE AT BOMBAY.

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO. 4414 OF 2010
IN
FIRST APPEAL (ST) NO. 29013 OF 2010**

Shailesh Shantilal Shah ... Appellant

Versus

Alka Suresh Waghmare and Ors. ... Respondents

Mrs. Sunanda Kumbhat for the appellant.

Mr. R.V. Bansode for respondent nos. 1 to 3.

**CORAM : Smt. R.P.SondurBaldota, J.
DATED : February 02, 2015**

P.C.

This Civil Application is for condonation of delay in filing the appeal. Mrs. Kumbhat, learned counsel for the appellant states that this appeal has become infructuous in view of the final disposal of the Motor Accident Claim Petition No. 63 of 2003 by the Tribunal by its order dated 8th August, 2013. The Tribunal has exonerated the appellant from liability to pay compensation to the accident victim.

In view of the statement the Civil Application is dismissed. The applicant is at liberty to withdraw the amount of Rs.50,000/- deposited

pursuant to the order dated 3rd December, 2010 and also any interest accrued thereon.

2. In view of the withdrawal of the Civil Application, First Appeal (St) No. 29013 of 2010 and the other proceedings do not survive and the same are accordingly disposed of.

(Smt R.P. SondurBaldota,J.)