

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 FIRST APPEAL NO. 1895 OF 2015
WITH CA/8840/2015 IN FA/1895/2015

UNITED INDIA INSURANCE COMPANY LTD. THR ITS DIVISIONAL
MANAGER
VERSUS
JAISHREE KACHRU MUSALE AND OTHERS

...
Advocate for Appellant : Chapalgaonkar S.g.
Advocate for Respondents : Mayure Pramod C for R.1
...

CORAM : P.R. BORA, J.
DATE : 18-10-2016.

P.C. :

1. The present appeal is filed challenging the order passed by the tribunal under Section 140 of the Motors Vehicles Act. It is the contention of the appellant-insurance company that, the very involvement of the insured vehicle in the occurrence of the accident is in dispute. When the present matter is taken up for hearing it is informed by the learned counsel appearing for the parties that in the original claim petition the evidence has commenced and the petition is likely to be disposed of within few days.

2. In the circumstances, I do not see any reason in keeping this matter pending. The learned counsel appearing for the appellant submits that, the appellant-insurance company has already deposited the amount of N.F.L. compensation in this court. In view of the fact that, the original claim petition is likely to be

decided within few months, I do not see any reason for deciding the present matter on merits. It will suffice the purpose if the amount so deposited by the insurance company in this court is transmitted to the tribunal and if ultimately the claim petition is allowed by the tribunal the necessary orders can be passed by the tribunal. The learned counsel appearing for the respondents has submitted that till the decision of the claim petition the claimants will not seek withdrawal of the N.F.L. Compensation.

3. In view of the submissions so made the appeal stands disposed of. The amount deposited by the insurance company towards the N.F.L. compensation be transmitted to the concerned tribunal. The learned tribunal shall decide the claim petition as expeditiously as possible and preferably within six months from the date of this order.

(P.R. BORA)
JUDGE