

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

**FIRST APPEAL NO. 894/2008
(WITH CA/11211/2016 IN FA/894/2008)**

UNITED INDIA INSURANCE COMPANY LTD
VERSUS
NEELABAI PRALHAD NEVDE AND ORS

...
Advocate for Appellant : Mr. Chapalgaonkar S.G.
Mr.K.B.Jadhavar, Adv., for respondent nos. 1 to4.

...
CORAM : P.R. BORA, J.
Dated: September 23, 2016

...
PER COURT :-

1. Present Appeal is filed challenging the order dated 17.11.2007, passed by the Motor Accident Claims Tribunal, Beed, below Exh. 5, in MACP No.18/2007, whereby the Tribunal has allowed the application under Section 140 of the Motor Vehicles Act.

2. The appellant Insurance Company had also filed an appeal against the final judgment and award passed in the aforesaid Motor Accident Claim Petition. The said appeal has been allowed and consequently, the aforesaid Motor Accident Claims Petition has been dismissed by this Court vide judgment and order passed today holding that the appellant Insurance Company is not liable to pay any compensation to the claimants.

3. In view of the fact that the Claim Petition itself has been dismissed, the present appeal also needs to be allowed and the order passed by the Tribunal under Section 140 of the Motor Vehicles Act needs to be set aside and quashed. It is accordingly set aside and quashed. The Appeal is allowed, however, without any order as to costs.

Civil Application stands disposed of.

(P.R.BORA)
JUDGE

agp/