

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

FIRST APPEAL NO.3179 OF 2015
WITH
CIVIL APPLICATION NO.15689/2015

Bajaj Allianz General Insurance
Company Ltd. Through its
Authorized Signatory. - APPELLANT

VERSUS

1) Nimba Atmaram Patil and Ors. - RESPONDENTS

Mr.SG Chapalgaonkar Advocate for Appellant;
Mr.MM Bhokarikar, Advocate for Resp.Nos. 1 & 2.

CORAM : P.R.BORA, J.

DATE : 2nd May, 2016.

PER COURT :

1) Heard. The insurance company has filed the present appeal taking exception to the order passed by Motor Accident Claims Tribunal, at Jalgaon (for short, the Tribunal) in MACP No.204/2012 below Exhibit-6, i.e. Application seeking compensation under no fault liability.

2) The aforesaid application is allowed by the learned Tribunal and the owner and insurer of

the offending vehicle are directed to pay the amount of no fault compensation to the claimants in the aforesaid claim petition.

3) When the present matter was taken up for hearing, learned Counsel appearing for the appellant insurance company and learned Counsel appearing for the respondents – original claimants, agreed that the controversy involved in the present appeal can only be resolved in final adjudication of the claim petition.

4) The learned Counsel appearing for the original claimants submitted that the original claimants will not withdraw the amount of no fault compensation though the same has been deposited by the appellant – insurance company till decision of the claim petition. The learned Counsel further prayed for direction to the Tribunal to expeditiously dispose of the claim petition.

4) In view of the submission so made, the

appeal is disposed of with following order, -

ORDER

i) The Motor Accident Claims Tribunal, Jalgaon is directed to hear and dispose of MACP No.204/2012 as expeditiously as possible and preferably within a period of six months after receiving writ of this Court;

ii) The amount of no fault compensation shall be invested in Fixed Deposit Receipt (FDR) of any nationalized bank till decision of the claim petition.

iii) The first Appeal stands disposed of in the aforesaid terms. Pending Civil Application, if any, stands disposed of.

(P.R.BORA)
JUDGE

BDV