

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

929 CIVIL APPLICATION NO. 2643 OF 2016
IN FAST/1417/2015 WITH CA/861/2015 IN
FAST/1417/2015 WITH CA/862/2015 IN FAST/1417/2015

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.
VERSUS
NETAJI SHAHAJI JADHAO AND ANOTHER

Shri. S.G. Chapalgaonkar, Advocate, for applicant.

Shri. S.N. Boinwar, Advocate, holding for Shri. S.R.
Bodade, Advocate, for respondent No.2.

CORAM: T.V. NALAWADE, J.

DATE : 3rd MARCH 2016

ORDER:

1) Learned counsel for the insurance company produced copy of Claim Petition No.284 of 2013 pending before the Claims Tribunal. He submits that the vehicle was not insured and in view of that circumstance the claimant has deleted the present appellant from the main proceeding. He submits that order under section 140 of the M.V. Act was made prior to making such amendment. In view of this development this Court holds that the

award under section 140 cannot be executed against the insurance company as it is admitted that the vehicle was not insured with the appellant.

2) Learned counsel for the original claimant is present and in his presence the aforesaid submission was made. So all the proceedings are disposed of as infructuous.

Sd/-
(T.V. NALAWADE, J.)

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