

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

WRIT PETITION NO. 8879 OF 2014

Shri Ajit Bajirao Pawar

.... Petitioner

Versus

The National Insurance Company Ltd.
& Ors.

.... Respondents

Mr. Satyajeet Mirajkar for petitioner.

***CORAM : N. M. Jamdar J.
Saturday 1 October, 2016***

P.C.

. What is challenged in this Petition is condonation of delay in filing Review Application against the Judgment and Award dated 26 June 2008 filed by the Member, Motor Accident Claims Tribunal, Islampur. Delay is sought to be condoned was of 4 years and 10 days.

2. The learned Counsel for petitioner has sought to advance contention that there was an error in the award passed by the learned Member, Motor Accident Claims Tribunal, Islampur. After the award was passed, First Appeals were filed. The Judgment

and Award dated 26 June 2008 has been modified by the High Court in the First Appeal and thereafter Special Leave Petition has been dismissed as against the First Appeal and therefore, the award having been merged in the decision passed by this Court, such review itself is not maintainable.

3. The learned Counsel for the petitioner has not shown any position of law contrary to the view taken by the learned Member, Motor Accident Claims Tribunal. There is no error in the impugned order.

4. The Writ Petition is accordingly dismissed.

(N. M. Jamdar, J.)