

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO.948 OF 2016
IN
FIRST APPEAL NO.1361 OF 2013

The Divisional Manager, United India Insurance Company, Akola.

-vs-

Manisha wd/o Ravindra Tayade and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri P. M. Kalar, Advocate for appellant.

Shri C. A. Joshi, Advocate for respondent Nos.1 to 4/applicants.

CORAM : A.S.CHANDURKAR, J.
DATE : April 20, 2016

The present appeal takes exception to the order passed by the Motor Accident Claims Tribunal, Akot challenging the order dated 16/08/2010 passed under Section 140 of the Motor Vehicles Act, 1988 (for short, the said Act). The appeal was admitted on 06/04/2015.

By the present application, the original claimants have stated that they are not interested in accepting the amount of compensation awarded under Section 140 of the said Act. It has been further stated that they would withdraw the application filed under Section 140 of the said Act. A prayer is also made to issue directions to the Tribunal to decide the claim petition filed under Section 166 of the said Act expeditiously.

Copy of this application has been served on the original appellant. By accepting the statement made on behalf of the respondent Nos.1 to 4 that they would withdraw the application filed under Section 140 of the said Act before the

Claims Tribunal and would not execute the order dated 16/08/2010, the application is allowed. Consequently, the order dated 16/08/2010 passed under Section 140 of the said Act does not survive.

As the accident in question is dated 22/12/2008 and the claim for compensation was filed in the year 2009, the proceedings under Section 166 of the said Act that are pending before the Claims Tribunal are expedited. Said proceedings be decided by the end of December 2016.

The appeal as well the civil application stand disposed of in aforesaid terms. No costs.

JUDGE