

HIGH COURT of CHHATTISGARH, BILASPUR**MA No. 881 of 2004**

1. National Insurance Co. Ltd., Branch office, Durg, through Divisional Manager, Priyadarshani Nagar, Bilaspur (CG).
2. National Insurance Co. Ltd., Branch office, Raipur, through Divisional Manager, Priyadarshani Nagar, Bilaspur (CG).

---- Appellants**Versus**

1. Vijay Kumar Biyani, 46 years, S/o Shyam Sunder Biyani,
2. Ku. Sneha Biyani, 19 years, D/o Shri Vijay Kumar Biyani,
Both R/o HIG 158, Padmanabhpur, Durg (CG).

---- Respondents

For Appellants	:	Shri BN Nande, Advocate.
----------------	---	--------------------------

SB: Hon'ble Shri Justice P. Sam Koshy**Order On Board****21/07/2017**

1. This is insurer's appeal under Section 173 of the Motor Vehicles Act against the award dated 26.02.2004 passed by the 6th Additional Motor Accident Claims Tribunal, Raipur (in short, the Tribunal) in Claim Case No.43/2003.
2. The instant appeal was filed on 22.07.2004. Today, when the matter is taken up for hearing, learned counsel appearing for the appellants fairly makes a statement that the amount awarded by the Tribunal i.e. Rs.2,00,000/-had since been deposited by the appellants-insurance company before the concerned Tribunal and the said deposited amount has already been disbursed to the claimants long back.
3. After a period of 13 years from the date of appeal, now the appeal has become of only an academic interest so as to decide whether the

court below was justified in fastening the liability upon the insurance company or not.

4. Considering the fact that the award amount has already been disbursed long ago, now disturbing the said decision after more than a decade would not be proper and justified and therefore, taking into consideration the overall facts and circumstances of the case, the appeal is dismissed of having become of only an academic interest.

Sd/-
(P. Sam Koshy)
Judge

inder