

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

903 FIRST APPEAL NO.2449 OF 2016

Kalpana W/o. Sadashiv Chate & Anr

.. **APPELLANTS**

VERSUS

Tukaram S/o. Sahebrao Kale & Others

.. **RESPONDENTS**

...

Advocate for Appellants : Shri. Shrikant Kulkarni

Advocate for Respondent No.2 : Shri. R.H. Dahat & Shri. S.S. Patil

Advocate for Respondent No.4 : Shri. S.G. Chapalgaonkar

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CORAM : P.R. BORA, J.

Dated: July 26, 2017

PER COURT :-

. The appellants / original claimants have filed the present appeal taking exception to the order passed by the Ld. Member Motor Accident Claims Tribunal, Ambajogai below Exh.5 in Motor Accident Claim Petition No.160/2012. Vide the impugned order, the Tribunal has passed NFL order only against the owner of the tractor. When the present matter is taken up for hearing, it is informed that, the original claim petition is now ripe for hearing and is placed for adducing evidence. The impugned order is admittedly passed in – 2014. Almost three years have passed after passing of the said order. It does not appear to me that, it would be in the interest of any of the parties to decide this appeal on merits. Any discussion, which may be made by this Court, may have adverse impact this way or the other on the merits of the

contentions raised by the parties. On the contrary it would be more appropriate if the parties get decided the petition finally by the Tribunal. Hence the following order.

ORDER

1. The Motor Accident Claims Tribunal, Ambajogai is directed to decide the Motor Accident Claim Petition No.160/2012 as expeditiously as possible and preferably within the period of Six Months from the date of this order.
2. With the direction as aforesaid the appeal stands disposed of without any order as to the costs.

(P.R. BORA, J.)