

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 5 OF 2009
WITH CA/104/2009 IN FA/5/2009

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD., AURANGABAD.
VERSUS
CHANDRAKALABAI BANDU GAWALI AND ORS

...
Advocate for Appellant : Mr. S G Chapalgaonkar
Advocate for Respondents 1 to 6 : Mr. S.S. Rathi
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CORAM : V. K. JADHAV, J.
DATED : 13th JUNE, 2017

PER COURT:-

1. Learned counsel for the appellant submits that during pendency of this appeal, the Tribunal has disposed of main claim petition under 'fault liability' and being aggrieved by the award passed in the said main petition under 'fault liability', the present appellant-insurer has also preferred first appeal bearing No. 1259 of 2011, which is admitted and pending before this Court.
2. In view of above submission, this appeal is disposed of as infructuous. The respondents-claimants are permitted to withdraw the amount deposited in this appeal and the same is subject to outcome of pending first appeal No. 1259 of 2011. First appeal is disposed of.
3. Pending civil application is also disposed of.

(V. K. JADHAV, J.)

rlj/