

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3357 OF 2017
IN
FIRST APPEAL NO.1471 OF 2013

Smt.Zarina Allaudin Shaikh & Ors. ... Applicants

Vs.

Shri Mahadeo Shinde & anr. ... Respondents

Mr.A.M. Gokhale for the Applicants
Mr.D.R. Mahadik for Respondent No.2

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **31st OCTOBER, 2017**

P.C.:

1. This application is moved for dispensing with the service of notice on Respondent No.1, the owner of the vehicle. The learned Counsel for the applicants, who are the original claimants, submits that the appeal is filed for enhancement of the amount of compensation. He submits that before the Tribunal, the opponent No.1 i.e., the owner of the vehicle, though was served by publication and he did not appear, the award was passed ex-parte against the owner of the vehicle.

2. Learned Counsel for the insurance company is present and confirms this factual position.
3. In view of the above, service on respondent No.1 i.e., the owner of the vehicle is hereby dispensed with. List the First Appeal on 28.11.2017.
4. Civil Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)