

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

FIRST APPEAL STAMP NO.4495 OF 2016  
WITH  
CIVIL APPLICATION NO.2526 OF 2016  
WITH  
CIVIL APPLICATION NO.2527 OF 2016

Bajaj Allianz General Insurance  
Co.Ltd., Pune through the  
Senior Executive Claims (Legal),  
Nagpur

..Appellant

Versus

1. Shahbaz Khan Sarfroz Khan  
Aged about 30 years,  
Occu. Truck business,  
R/o Gawalipura, Amravati,  
Taluka and District Amravati
2. Firoz Khan Rashid Khan,  
Aged about 32 years,  
Occupation Driver.  
R/o Gawalipura, Amravati,  
Taluka and District Amravati

..Respondents

Mr D.N. Kukday, Advocate for appellant

**CORAM : N.W. SAMBRE, J.**

**DATE : 26<sup>th</sup> April 2017**

**PER COURT**

1. The present appeal can be disposed of with following order :
2. The amount deposited in this Court be forthwith transmitted to the Motor Accident Claims Tribunal, Amravati in Motor Accident Claim Petition No.502 of 2010, pending on the file of Member, Motor Accident Claims Tribunal, Amravati.

3. The tribunal, while dealing with the said claim petition on merit shall also dwell upon the controversy as regards liability passed on Insurance Company pursuant to the provisions of Section 140 of the Motor Vehicles Act could be just and proper and whether the amount is liable to be paid by the Insurance Company.

4. With above observations, First Appeal stands disposed of.

5. In view of disposal of First Appeal, Civil Applications No.2526 of 2016 and 2527 of 2016 stand disposed of.

**( N.W. SAMBRE, J.)**

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