

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

21 CIVIL APPLICATION NO. 2049 OF 2008
IN FA/2429/2008

THE NEW INDIA ASSURANCE CO LTD.
VERSUS
MUJIBUDDIN MUJAFARUDDIN AND OTHERS

...
Advocate for Applicant : Mr. V. R. Mundada.

...
51 FIRST APPEAL NO. 2430 OF 2008

THE NEW INDIA ASSURANCE CO LTD.
VERSUS
MUJIBUDDIN MUJAFARUDDIN AND OTHERS

...
Advocate for Appellant : Mr. V. R. Mundada.

**CORAM : K.K. SONAWANE, J.
DATED : 15TH JANUARY, 2018.**

Order :-

Heard learned counsel for applicant/appellant.

2. Learned counsel for applicant/appellant submits that, he does not want to press the Civil Application No. 2449 of 2008 for the relief of stay to the impugned Judgment and Order passed by learned Tribunal in Motor Accident Claim Petition No. 214 of 2003 dated 22-05-2007. But, he insisted for final hearing of the matters on merit.

3. In view of submission, there is no propriety to deal with the Civil Application No.2049 of 2008, the same shall stand dismissed for non-prosecution.

4. List the First Appeal Nos. 2429 and 2430 of 2008 for final hearing on merit in due course.

**[K. K. SONAWANE]
JUDGE**