

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

**924 CIVIL APPLICATION NO. 2599 OF 2012
IN FAST/4397/2012 WITH CA/2600/2012 IN
FAST/4397/2012**

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD THRU BRANCH
MANAGER

VERSUS

SMT. MANGALABAI SUKHLAL PAWARA AND ORS

...

Advocate for Applicant :Shri S.S.Dargad h/f.
Shri S.G. Chapalgaonkar

...

CORAM : P.R.BORA, J.

DATE: 19th September, 2018

PER COURT:-

1 The learned Counsel appearing for the applicant submits that the present appeal is filed against the order dated 15.10.2011 passed by the Tribunal under Section 140 of the Motor Vehicles Act, in Motor Accident Claim Petition No.185 of 2009.

2 The learned Counsel submits that the Tribunal has finally disposed of the aforesaid Claim Petition on merits on 01.07.2016. The learned Counsel further submits that the Insurance Company has challenged the final award passed in the said matter by filing First Appeal No.698 of 2017 before this Court and it is pending

for consideration. In the aforesaid circumstances, the learned Counsel has sought permission to withdraw the present application as well as appeal on stamp number with liberty to raise said objections in pending First Appeal filed by the appellant Insurance Company.

3 Leave is granted as prayed for.

4 In view of the submissions so made, the following order is passed:-

ORDER

I) Civil Application No.2599 of 2012 alongwith First Appeal (Stamp) No.4397 of 2012 stand disposed of as withdrawn with liberty as prayed for.

II) Pending civil applications, if any, also stand disposed of.

III) The amount of compensation deposited in the present matter be transmitted in the First Appeal No.698 of 2017.

(P.R.BORA)
JUDGE