

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

**978 CIVIL APPLICATION NO. 12652/2017
IN FAST/30904/2017 WITH CA/13588/2018 IN
FAST/30904/2017**

RELIANCE GENERAL INSURANCE CO., THR ITS BRANCH MANAGER
VERSUS
RAISA TAJODDIN PIRJADE @ SHAIKH AND ORS

...
Advocate for Applicant : Shri V. P. Raje
Advocate for Respondent Nos.1 to 5 : Shri Apparao Yenegure

...

CORAM : P.R.BORA, J.
DATE: 1st November, 2018

PER COURT:-

1 When the present matter is taken up for hearing, it is noticed that the impugned Judgment and award is challenged by the Insurance Company only on the issue of quantum. In the circumstances, it does not appear to me that service of summons on the owner and the driver of the vehicle is necessary. So service against the owner and the driver is exempted.

2 Learned Counsel Shri Apparao Yenegure is appearing for the original claimants.

3 Delay of 62 days has occurred in filing the present appeal. The learned Counsel for the claimants fairly conceded for condoning the delay and for hearing the matter finally at the admission stage.

4 In view of the submissions made by the learned Counsel for the parties, delay of 62 days caused in filing the appeal is condoned.

5 Civil application for condonation of delay stands disposed of.

6 Appeal be registered in accordance with law.

7 On registration of appeal, issue notice to the respondent Nos.1 to 5. Shri Apparao Yenegure, learned Counsel waives service of notice for respondent Nos.1 to 5. Service complete.

8 List the appeal for final disposal on 02.11.2018.

9 Since the appeal is to be heard finally at the admission stage, the learned Counsel for the claimants has not pressed the application for withdrawal of amount.

10 Civil application for withdrawal of amount stands disposed of.

(P.R.BORA)
JUDGE

SPT