

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 3836 OF 2016

UNITED INDIA INSURANCE CO. LTD.
VERSUS
SHEHANAZBEGUM ABDUL JABBAR MANIYAR AND ORS

...
Mr. S.S. Dargad, Advocate h/f Mr. S.G. Chapalgaonkar, Advocate for
appellant

Mr. S.R. Shirsath, Advocate for respondent no.10
Respondents no. 1 to 9 served - absent

...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 14-03-2018

ORDER :

1. Heard learned counsel for appellant, who, on instructions states that the appeal concerns grant of no-fault liability, however, during the pendency of this appeal, proceeding under section 166 of the Motor Vehicles Act, 1988 preferred by claimants has culminated into a final award passed by the tribunal.

2. He, thus, resiles to the situation and states that the appeal may have been *ostensibly* rendered *infructuous* in the process, yet, he may take up the contentions in the proceedings which are likely to ensue on final disposal of the claim petition under section 166 of the Motor Vehicles Act, 1988 and it may be at liberty to take up the contentions.

3. In view of aforesaid, first appeal is disposed of keeping it open for appellant to take up the contentions in the proceedings, if any, ensued as a result of final decision by tribunal under section 166 of the Motor Vehicles Act, 1988.

[SUNIL P. DESHMUKH]
JUDGE

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