

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO. 808 OF 2017
WITH
CIVIL APPLICATION NO. 2415 OF 2017
IN
FIRST APPEAL NO. 808 OF 2017**

Royal Sundaram Alliance Insurance
Company Ltd.

...Appellant

Versus

Smt.Sakshi Arjun Toraskar & Ors.

...Respondents

.....

Mr.Nikhil Mehta I/b. KMC Legal Venture for the Appellant.

.....

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED : FEBRUARY 13 , 2018**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. The learned Counsel for the appellant/ insurance company submits that the insurance company has already been paid the claim of Rs. 16,25,000/- to the original claimants before the tribunal and the matter is disposed off as settled. He further submits that as the matter is settled before the tribunal, this Appeal

has become infructuous and, therefore, he seeks permission to withdraw this First Appeal.

3. The learned counsel for the appellant is allowed to withdraw the First Appeal.

4. First Appeal is dismissed as withdrawn.

5. In view of dismissal of the First Appeal, Civil Application does not survive and the same is accordingly disposed of.

6. The amount deposited by the appellant in this Court at the time of filing of Appeal shall be transferred to the Motor Accident Claims Tribunal, Oros, Sindhudurg and the liberty is given to the appellant to withdraw the same.

(MRIDULA BHATKAR, J.)