

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 4716 OF 2017

AND

FIRST APPEAL ST. NO. 25107 OF 2017

(UNITED INDIA INSURANCE CO. LTD....VS.. SANJAY PANJABRAO BHOYAR & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Ajay Chaphale, Advocate for Applicant.

CORAM : Z.A.HAQ, J.

DATED : SEPTEMBER 14, 2018.

CIVIL APPLN.NO.4716/2017.

Though served, none appears for the non-applicants/ respondents.

Heard Shri Chaphale advocate for the applicant/appellant.

Accepting the explanation given in the application, delay of 88 days in filing the appeal is condoned.

Civil Application is **allowed** accordingly.

FIRST APPEAL ST.NO.25107/2017.

Taken up for hearing on admission.

Amongst various points raised by the appellant/ Insurance Company one of the submission is that in connected claim petition the Motor Accident Claims Tribunal

has ordered the Insurance Company to pay the amount of compensation and recover it from the owner of the vehicle.

Issue notice to the respondents, returnable on **30th November, 2018.**

Call R & P.

CIVIL APPLN.NO. 4717/2017.

As the amount awarded by the Tribunal is deposited by the Insurance Company, it is directed that the award shall not be executed against the Insurance Company.

The civil application is **allowed** accordingly. No costs.

The claimants are granted liberty to file application seeking permission to withdraw the amount deposited by the Insurance Company, if so advised.

JUDGE

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