

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

931. FIRST APPEAL NO.3225 OF 2017

TATA AIG GENERAL INSURANCE CO. LTD.
THR ITS MANAGER KIRTI MAHENDRA BALLAL
VERSUS
BABASAHEB SHANTARAM SABALE AND ORS

Mr. S.S. Patil, Advocate for appellant.
Mr. A.M. Gaikwad, Advocate for respondent No.1

CORAM : V.L. ACHLIYA, J.

DATE : 10th April, 2019

PER COURT :

1. Heard.
2. The appeal is filed challenging the order U/S. 140 of the Motor Vehicles Act passed by the Member, Motor Accident Claims Tribunal, Ahmadnagar. Since the main petition is already listed for hearing, the order impugned deserves no consideration in appeal. The contentions raised in appeal can very well be agitated before the Tribunal while hearing the application filed U/S. 166 of the M.V. Act.

3. Hence the appeal is disposed of with liberty to appellant to raise all such contentions before the Tribunal while hearing the application filed U/S. 166 of the M.V. Act. The amount, if any, deposited by appellant as statutory deposit in this Court, then same be transferred to the Motor Accident Claims Tribunal, Ahmednagar, as deposit in Motor Accident Claim petition No. 401/2015.

4. The appeal stands disposed of in above terms.

(V.L. ACHLIYA)
JUDGE

Madkar