

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

**933 CIVIL APPLICATION NO.6325 OF 2017
IN FAST/12831/2017**

**THE NEW INDIA ASSURANCE CO. LTD THR ITS AUTHORISED
SIGNATORY, AURANGABAD
VERSUS
SHOBHA ASHOK THOKAL AND ORS**

...
Advocate for Applicant : Mr. Deshpande Dhananjay P.
Advocate for Respondent Nos.1 to 3 & 5 : Mr. S.S. Panale
Advocate for Respondent Nos.6 & 7 : Mr.Rajendra H. Wagh
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 12th JULY 2019

ORDER :

1. Present appeal has been filed by the Insurance Company challenging the order under Section 140 of the Motor Vehicles Act. The learned Advocate appearing for the appellants submits that the main petition itself has been dismissed on merits. He has supplied the certified copy of the judgment. It is marked as Exhibit-'A'.
2. Taking into consideration the fact that the main claim petition itself has been dismissed, the appeal filed in respect of the interim order does not survive. Under such circumstance, Civil Application as well as First Appeal stands disposed of.
3. The amount deposited by the appellant be refunded to it.

(Smt. Vibha Kankanwadi, J.)

Shubham/