

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

**951 FIRST APPEAL NO.2383 OF 2014
WITH CA/13065/2014 IN FA/2383/2014**

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.
VERSUS
MIRABAI BHARAT KANDE AND OTHERS

...
Advocate for Appellant : Mr. S.G. Chapalgaonkar
Advocate for Respondent Nos. 1, 3 & 5 : Mr. M.B. Kolpe
Advocate for Respondent No.8 : Mr. R.K. Ashtekar h/f Mr
V.B. Deshmukh
...

**CORAM : P.R. BORA, J.
DATED : 07th March, 2019.**

PER COURT:-

. The present appeal has been filed by the appellant-insurance company challenging the order passed by the Motor Accident Claims Tribunal at Osmanabad in Motor Accident Claim Petition No.13 of 2010 under Section 140 of the Motor Vehicles Act.

2. When the present appeal is taken up for hearing, the learned counsel appearing for the original claimants informed that the original Claim Petition No.13 of 2010 has been dismissed by the Tribunal. In view of the fact that the claim petition under Section 166 of the Motor Vehicles Act itself has been dismissed by the Tribunal, the present appeal has become infructuous. Hence, the following order:

ORDER

- i) The appeal stands disposed of being infructuous.
- ii) The amount deposited by the appellant-insurance company in this Court shall be refunded to it along with interest, if any, accrued thereon.
- iii) Pending civil applications, if any, stand disposed of.

(P.R. BORA, J.)

Mujaheed//