

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

**FIRST APPEAL NO.525 OF 2012
WITH
CIVIL APPLICATION NO.1183 OF 2012
IN
FIRST APPEAL NO.525 OF 2012**

Premanand Fatirao Desai
Versus
Smt. Sunitra Janardan Manjrekar
and Ors.

...Appellant

...Respondents

.....
Mr. Sanskar Marathe for the Appellant.
Mrs. D. Shalini Shankar for the Respondent No.3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 1st OCTOBER, 2019.

P.C.:-

The Appellant herein has challenged the judgment dated 5th December, 2011 whereby the Claims Tribunal has exonerated the Respondent No.3-Insurance Company and directed the Appellant herein to pay compensation of Rs.3,64,000/- to the Respondent Nos.1 and 2/original claimants.

2. The records reveal that the Appeal against the original claimants i.e. Respondent Nos.1 and 2 herein has been dismissed by order dated 4th March, 2015. In view of the dismissal of the appeal

against the original claimants, the Appellant herein cannot question the claim awarded to the original claimants. The learned counsel for the Appellant concedes that there was no insurance policy and that there was no challenge to that part of the order whereby the Tribunal exonerated the Respondent No.3-Insurance Company.

3. In the light of above, the Appeal stands dismissed.

4. In view of dismissal of the Appeal, the Civil Application does not survive and hence stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)