

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.506/2017

Yasin Abbas Mulla ... Applicant.
Vs.
Mr.Salim Jabbar Bailiff & Ors. ... Respondent.

Mr.Shyamsunder Solanke i/b Pratap Patil, advocate for
appellant.
Mr.Jitendra S. Chinchambekar I/b Vishwajeet Sagare for
respondent no.4.

CORAM : K.K.TATED, J.
DATED : JUNE 12, 2019.

P.C.

Heard learned counsel for parties.

2. Though other respondents are duly served, as recorded in earlier order dated 18.4.2017 in Civil application no.3459/2007, no one appeared on behalf of them when the matter is called out.

3. By this first appeal, appellant/original respondent no.5, owner of the vehicle, is challenging judgment and award dated 25.8.2006 passed by Learned District Judge and Member, Motor Accident Claim Tribunal, Sangli, in M.A.C.petition no.279/1999 holding that, original claimant is entitled total compensation of Rs.41000/- including NFL amount with interest @ 7.5% p.a.

4. Considering the submissions made by learned counsel for appellant and the impugned judgment and award, I am satisfied

that appellant has made out a case for following order.

- a) Admit.
- b) Printing is dispensed with.
- c) Appellant to file private paper book within 3 months with copy to other side, failing which the First Appeal shall stand dismissed without further reference to the court.
- d) In addition to usual mode of service, appellant is directed to serve the remaining respondents by private notice either by RPAD and/or hand delivery informing them that the matter is admitted and kept for final hearing, and file affidavit of service to that effect, on or before next date.
- e) Hearing of first appeal is expedited.
- f) Registry is directed to place this matter on board as soon record & proceeding is received from trial court.
- g) Mr.J.S.Chinchambekar, learned advocate waives service for respondent no.4.

(K.K.TATED, J.)

