

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

WRIT PETITION NO. 6813 OF 2018

Gurfan Mohd. Suleman Quesreshi	...Petitioner
vs.	
Limbadi Narsayya Katkam and anr.	...Respondents

Mr. Anil D'souza for the Petitioner.
Ms. Swati H. Sagvekar for the Respondent No.1.

CORAM : REVATI MOHITE DERE, J.
DATE : 13th February, 2020

PC:

1. By this petition, the petitioner has impugned the order dated 8.3.2018 passed by the Chairman, M.A.C.T. Mumbai below Exh. 2 in M.A.C. Application No.728 of 2016, by which the petitioner was directed to pay Rs.25,000/- to the respondent No.1 on account of no fault liability within one month from the date of order, failing which the petitioner was directed to pay interest on the said amount at the rate of 7.5% per annum from the date of order till its realization.

2. Learned counsel for the petitioner states that, the petitioner will deposit Rs.25,000/- alongwith interest as directed in the registry of the M.A.C.T., Mumbai, instead of handing over the said amount to the respondent No.1, as according to the petitioner, the respondent No.1 has not suffered any permanent disability and as such is not entitled to any money. In

view of the statement made by the learned counsel for the petitioner that, he will deposit Rs.25,000/- along with interest thereon, as directed by the M.A.C.T., Mumbai vide order dated 8.3.2018, nothing survives for consideration in the petition. The petitioner to deposit the same in the registry of M.A.C.T., Mumbai within three weeks from today. If an application is filed by the respondent for withdrawal of the said amount, the Tribunal shall consider the same on its own merits.

3. It is made clear, that this Court has not considered the petition on merit and as such all contentions of the parties are kept open.

4. Petition is disposed of in the aforesaid terms.

5. All parties to act on an authenticated copy of this order.

REVATI MOHITE DERE, J.