

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

FIRST APPEAL NO.1140 OF 2017

New India Insurance Company Ltd.,
Through its Branch Manager,
Parag Plaza, Shivaji Cross Road,
Shrirampur, District-Ahmednagar,
Through its Divisional Manager/
Authorized Signatory, Mahesh Auto
Compound, Adalat Road, Aurangabad.

**...APPELLANT
(Orig. Respondent No.3)**

VERSUS

- 1) Shruti @ Shrushti D/o Asaram Shinde
Age-14 years, Occu:Education,
Being Minor Under Guardianship of
Natural Mother, Suman Asaram Shinde,
Age-37 years, Occu:Service,

R/o- Newasa Phata, Tq-Newasa,
District-Ahmednagar.

- 2) Shaikh Jabbar Shaikh Rehman,
Age-Major, Occu:Agriculture,
R/o-Amba, Tq-Kannad,
Dist-Aurangabad,

- 3) Shaikh Salman Shaikh Mohammad,
Age-Major, Occu:Driver,
R/o-Andhaner, Tq-Kannad,
Dist-Aurangabad.

(Name of Respondent No.3 deleted as
per Court's order dated 07/02/2019)

**...RESPONDENTS
(Resp. No. 1 – Orig. Claimant
Resp. Nos.2&3 - Orig. Resp. No.1 & 2)**

...
Mr.S.G. Chapalgaonkar Advocate for Appellant.
Mr.Ram B. Deshpande Advocate for Respondent No.1.
Mr.H.D. Deshmukh Advocate for Respondent No. 2.
Name of Respondent No. 3 deleted.

...

CORAM: ANIL S. KILOR, J.

DATE : 31st MARCH, 2021

ORAL JUDGMENT :

1. This is an appeal filed by the insurance company challenging the Judgment and order dated 10th May 2016 passed by the District Judge-1 and Additional Sessions Judge, Newasa, District-Ahmednagar in Motor Accident Claim Petition No. 202 of 2014.

2. In view of the Judgment passed in First Appeal No. 1260 of 2017, no challenge survives in the present matter. Accordingly, I pass the following order:

ORDER

(I) The Appeal is dismissed.

(II) The claimant is permitted to withdraw the amount deposited by the insurance company in this Court, along with interest accrued thereon, if any, as per the directions given in the Judgment of the District Judge.

(IV) No order as to costs.

[ANIL S. KILOR, J.]

asb/MAR21