

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST.) NO. 29125 OF 2017

WITH

CIVIL APPLICATION NO. 1642 OF 2018

WITH

CIVIL APPLICATION NO. 1643 OF 2018

IN

FIRST APPEAL (ST.) NO. 29125 OF 2017

Iffco Tokio General Insurance Co. Ltd.

... Appellant/
(Org. Insurer)

Vs.

1. Smt. Popat Sandipan Gaikwad
& Ors.

... Respondents

.....

Ms. Shalini Shankar, for appellant.
None for respondents.

.....

CORAM : N.J. JAMADAR, J.
DATE : 4th October, 2021

PER COURT :

1. Heard Ms. Shalini Shankar, the learned counsel for the appellant-original insurer.

2. The learned counsel for the appellant submits that during the pendency of this appeal, Application No. 2353 of 2013, in which the impugned order was passed, has been finally decided and the applicant-insurer has been exonerated of the liability and the claim is allowed against the opposite party only, by the judgment and order dated 3rd March 2021, passed by the learned Member, MACT, Mumbai.

3. A copy of the judgment and award dated 3rd March 2021 is tendered for the perusal of the Court. The same is taken on record.

4. The learned counsel submits that in view of the aforesaid development, nothing survives in the appeal.

5. In view of the development in the intervening period, and the aforesaid submission, the appeal stands disposed of as having been rendered infructuous.

6. Court fees refund be made as per Rules.

7. In view of disposal of the appeal, civil applications do not survive and accordingly stand disposed of.

Shraddha Talekar, PS

(N.J. JAMADAR, J.)