

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application (F) No.1107/2021 in First Appeal St No.3491/2020

S.B.I. Gen. Ins. V Smt. Jyoti Mallik and others

Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Smt. Mrunal Naik, appellant.
 Shri P.J. Mehta, Adv for resp. no.1.

CORAM : S.M. MODAK, J.
DATE : 16th JUNE, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Notice to respondent no.5 returned back unserved as he was not available at the time of service. Whereas notice to respondent no.6 could not be served as he is not residing on the given address. It is the last known address. Notice be served on them by substituted service.

3. Application is disposed of.

Civil Application (F) No.815/2020

Learned Advocate Shri Mehta undertakes to appear on behalf of respondent nos. 1 to 3.

2. Respondent no.4 is dead. He is the father of the deceased. He is a claimant of respondent no.4 before the Tribunal.

3. Respondent nos. 1 to 3 are directed to tell the status of respondent no.4 or else to produce his death certificate.
4. The issue before this Court is very limited. Whether the insurance policy was in force or not at the time of accident is the issue and the appeal is preferred against an order passed under Section 140 of the Motor Vehicles Act, 1988. So the appeal can be heard immediately.
5. Stand over after six weeks.
6. To be tagged Civil Application (F) No.813/2020, along with this application.

JUDGE

Deshmukh