

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

Civil Application [CAF] No.3540 of 2016
in
First Appeal St.No.20603 of 2016

New India Assurance Co. Ltd.

vs.

Smt. Indira wd/o Shantaram Tumadam & others

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

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Court's or Judge's Orders

Shri A.W. Paunikar, Advocate for Applicant-Appellant.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 20th JANUARY, 2021.

The applicant herein has sought to condone the delay of 49 days in challenging the order, dated 01/03/2016 in MACP No.39/2012.

For the reasons stated in the application , the delay is condoned. The application stands disposed of.

First Appeal St.No.20603/2016 :

Heard learned Counsel for the appellant.

The appellant herein has challenged the order dated 01/03/2016, whereby the Claims Tribunal has allowed the application filed under Section 140 of the Motor Vehicles Act by respondent Nos. 1 to 5. The impugned order is challenged on the ground that the appellant-Insurance Company had cancelled the policy and, hence, was not liable to pay any compensation.

It is stated that during the pendency of this appeal, the claim petition has been disposed of and

the defence raised by the appellant-Insurance Company has been rejected and that the appellant-Insurance Company has been ordered to indemnify the insurer.

In view of this subsequent event, nothing survives in this appeal. The appeal, is therefore, dismissed.

JUDGE

**sandesh*