

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

960 CIVIL APPLICATION NO.7123 OF 2022
IN FA/469/2013

CHI. TANMAY RAJENDRA KASAR
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., THR ITS DIV. MANAGER,
AURANGABAD AND ANR

...
Advocate for Applicant : Mr. Bhokarikar Madhav M.
...

CORAM : S. G. DIGE, J.
DATE : 14.07.2022

PER COURT :-

Heard learned counsel for the applicant and learned counsel for the respondent.

Learned counsel for the applicant submits that respondent has preferred appeal against Judgment and award passed by learned Motor Accident Claim Tribunal, Jalgaon in MACP No 426 of 2006. The said appeal is dismissed by this Court by the order dated 31st July 2019. In the said appeal Rohini mother of the applicant was party. She died during the pendency of the appeal but this fact was not communicated to the Advocate of the applicant. At that time applicant was minor. This Court has passed order considering Rohini is alive. Applicant is only legal heir of the deceased Rohini but in fact

she was not alive. Hence it is necessary to make modification in the name of Rohini in title clause of the order passed by this Court. Learned counsel for the respondent submits that Court may pass appropriate order. Considering submissions of the learned counsel for the applicant application is allowed in terms of prayer clause 'B' and 'C'

**(S.G. DIGE,)
JUDGE**

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