

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

903 FIRST APPEAL NO.4162 OF 2008

NEW INDIA ASSURANCE CO. LTD.
VERSUS
SUDHAKAR MAROTRAO DESHMUKH AND ANOTHER

...
Advocate for Appellant : Mr. Dhananjay Deshpande.
Advocate for Respondent No.1 : Mr. Majit Shaikh, h/f Mr. S. S. Deshmukh.
...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 07th January, 2022.

P.C.:

. Heard Mr. Dhananjay Deshpande, learned counsel for appellant and Mr. Shaikh, holding for Mr. S. S. Deshmukh, learned counsel for respondent No.1. None present for respondent No.2 when the matter is called out.

2 This appeal is directed against the order of no fault liability below Exhibit-5 in M.A.C.P. No.444 of 2002. It is pointed out by Mr. Shaikh, holding for Mr. Deshmukh, learned counsel for respondent No.1 that the main claim petition has been decided on its own merits vide judgment and award dated 15th March, 2010. He seeks leave to place on record copy of judgment and award passed by the Member, Motor Accident Claims Tribunal, Hingoli.

3 Leave granted. The copy of judgment and award passed by Member, Motor Accident Claims Tribunal, Hingoli is taken on record and marked as 'X' for identification.

4 Nothing remains in this appeal when the main claim petition has been decided on its own merits. As such, the appeal stands disposed of. The amount deposited by the appellant/insurance company shall be transferred to the M.A.C.T., Hingoli as per the procedure.

5 Civil application, if any, also stands disposed of.

[SHRIKANT D. KULKARNI, J.]

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