

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

939 CRA NO.199 OF 2019

**SUREKHA MADHAV SINARE AND OTHER
VERSUS
SHER MOHMED KASAM SHAIKH AND OTHER**

...

Advocate for Petitioners : Mr. Kanawade Ajay T.

...

940 CRA NO.5 OF 2022

**NITA RAJU SONAWANE AND OTHERS
VERSUS
RELIENCE GENERAL INSURANCE CO. LTD.THR MANAGER AND OTHER**

...

Advocate for Petitioners : Mr. Dhakane Rajendra B.

CORAM : MANGESH S. PATIL, J.

DATE : 05.04.2022.

PER COURT :

Both these matters arise out of an order passed by the Taxing Officer directing the respective appellants to pay deficit court fees in the first appeal preferred by them against the judgment and award passed by the Motor Accident Claims Tribunal, against dismissal of their claims.

2. After having heard both the sides, in my considered view, it would be appropriate that keeping open the issue regarding valuation of the appeal to be pondered upon and decided with the main first appeals itself, these revisions can be disposed of.

3. Revision Petitions are partly allowed. The impugned orders are quashed and set aside. For the time being, the first appeals to registered keeping open the issue regarding valuation to be decided by the court in the first appeals, subject to the revision petitioners furnishing an undertaking in

the first appeals that if and when the issue regarding valuation is decided, they would pay the deficit court-fees, if any.

(MANGESH S. PATIL, J.)

mkd/-