

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

7 FIRST APPEAL NO.1313 OF 2021
WITH CA/7853/2021

THE RELIANCE GENERAL INSURANCE CO. LTD., THR ITS LEGAL
OFFICER, AURANGABAD

VERSUS

SULOCHANA ANANTA @ BALU MANE AND ORS

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Advocate for Appellant : Mr. S. S. Patil

Advocate for Respondent Nos.1 & 3 : Mr. S. S. Dargad

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 16/01/2023.

P. C. :

1. Heard learned counsel for the appellant / insurance company as well as the learned counsel for respondent Nos.1 to 3. The other respondents are yet to be served. However, the learned counsel for appellant as well as claimants submitted that the appeal can be disposed of by keeping the impugned order under Section 140 of M. V. Act in abeyance and subject to final out come of the motor accident claim petition.

2. In view of the same, the appeal is disposed of and impugned order is subjected to final out come of the motor accident claim petition.

3. Needless to say that the withdrawal of the amount under the said order is also subjected to final order in the motor accident claim petition.

4. Till then the amount of Rs.50,000/-, which has been deposited by the appellant insurance company in this court be

remitted to concerned MACT, Parbhani alongwith the accrued interest.

5. Accordingly the appeal alongwith the pending civil application for stay stands disposed of and the learned MACT, Parbhani is directed to dispose of the main MACP No.191 of 2015 as early as possible and preferably within a period of six months from the date of receipt of record and proceedings of the said petition.

6. The office is directed to send the record and proceedings immediately to concerned MACT, Parbhani.

(SANDIPKUMAR C. MORE, J.)