



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 FIRST APPEAL NO. 2895 OF 2019
WITH
CIVIL APPLICATION NO. 10574 OF 2019
IN FA/2895/2019

UNITED INDIA INSURANCE CO. LTD., THR ITS DIV. MANAGER,
USMANPURA, AURANGABAD

VERSUS

BASHIR BABA PATEL

UNITED INDIA INSURANCE CO. LTD., THR ITS DIV. MANAGER,
USMANPURA, AURANGABAD

VERSUS

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Mr. R. F. Totala , Advocate for Appellant

Mr. G. P. Ghule, Advocate for Respondent No.1

Mr. Shaikh Mujtaba Gulam Mustafa, Advocate for Respondent No.2.

CORAM : Y. G. KHOBRAGADE, J.

DATE : 22nd March, 2024

ORDER:

1. The learned counsel appearing for the appellant- Insurance Company, on instructions, seeks leave to withdraw the appeal with liberty challenge the impugned order of no fault liability alongwith final decision. In view of the above, the appeal is disposed of as withdrawn, with liberty as prayed.

2. Pending Civil application also stands disposed off.

3. The amount which has been deposited by the appellant before this Court in pursuance of the order dated 29.06.2019 passed by the learned Member, Motor Accident Claim Tribunal below Exh. 5 in MACP

No. 294 of 2017 be remitted back to the M.A.C.T., Aurangabad, if it is not already withdrawn by the respondent/claimant, with accrued interest.

4. Record and proceedings be remitted to the concerned Court.

(Y. G. KHOBRAGADE, J.)

JPChavan