

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 11035 OF 2024

IN

FIRST APPEAL NO. 1565 OF 2019

WITH

INTERIM APPLICATION NO. 8287 OF 2024

IN

FIRST APPEAL NO. 1565 OF 2019

Branch Manager, The New India Assurance Co. Ltd. ... Applicant

IN THE MATTER OF :

Branch Manager, The New India Assurance Co. Ltd. ... Appellant

Versus

Damayaniben wd/o. Bharatbhai Ishwarlal Vashi and ... Respondents
Ors.

.....

Ms. Shalini Shankar, Advocate for the Applicant.

Mr. Yogesh Pande, Advocate for Respondent Nos. 1 to 4.

CORAM : ARUN R. PEDNEKER, J.

DATED : 29th JULY, 2024.

P.C. :

INTERIM APPLICATION NO. 11035 OF 2024

1. Interim application No. 11035 of 2024 is filed for restoration of appeal.
2. For the reasons stated in the application the application is allowed and disposed of.
3. Learned counsel for the appellant - Insurance Company on instructions, seeks leave to withdraw the appeal.

4. First Appeal No. 1565 of 2019 challenging the Judgment and Award dated 07.12.2016 passed by the Motor Accident Claims Tribunal, Palghar in Claim Petition No. 1588 of 2001 is dismissed as withdrawn.
5. The statutory amount deposited in this Court be transmitted to the Tribunal. The Tribunal to disburse the same in accordance with law.
6. Appellant would also at liberty to apply for refund of Court fees.
7. In view of dismissal of appeal, pending applications, if any also disposed of.

(ARUN R. PEDNEKER, J.)