

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.10315 OF 2024
IN
FIRST APPEAL NO.1380 OF 2016**

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Ganesh Rangrao Akurde

...Applicant

In the matter between:-

IFFCO TOKIO General Insurance
Company Limited

...Appellant

vs.

Ganesh Rangrao Akurde and Anr.

...Respondents

Mr.Pritesh K. Bohade:-	Advocate for Applicant.
Ms.Varsha Chavan:-	Advocate for Appellant.

CORAM : S. M. MODAK, J.

DATE : 27th AUGUST 2024

P. C. :-

1. Heard learned Advocate Ms.Chavan for the Appellant Insurance Company and learned Advocate Mr.Bohade for Respondent – Claimant – driver of the motorcycle.
2. Another vehicle involved is the trax. Its number could not be ascertained. The FIR is lodged against the trax vehicle. There was a

Petition filed by the driver against the Insurance Company of the motorcycle under the provisions of Section 163A of the MV Act, 1988.

3. The Appeal is of the year 2016. Recently, this Application for withdrawal is filed. Withdrawal is strongly opposed by learned Advocate Ms.Chavan. She relied upon the observations in case of ***Ramkhiladi and Anr. v/s. United India Insurance Company and Anr.***¹ and more specifically, Para No.5.5 and 5.6. According to her, the Appeal can be disposed of finally.

4. Compilation of documents filed by her is taken on record. Marked 'X' for identification. Copy is served to other side.

5. Stand over to **4th September 2024**. To be listed for final arguments / Interim Application.

[S. M. MODAK, J.]

¹ AIR 2020 SUPREME COURT 527