



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 602 OF 2025
IN
REVIEW APPLICATION (ST) NO. 4091 OF 2024
IN
FIRST APPEAL NO. 2820 OF 2017

Uttam Raosaheb Tidke

..APPLICANT

VERSUS

United India Insurance Co. Ltd. and Others

..RESPONDENTS

....
Mr. R.G. Hange, Advocate for applicant

Mr. Swapnil Deshmukh, Advocate for respondent nos.2 to 4
....

CORAM : R.G. AVACHAT, J.

DATE : 09th JULY, 2025

PER COURT :

1. This is an application for condonation of delay occurred in filing the application for review of the judgment and order dated 28th October, 2021 passed in First Appeal No. 2820 of 2017.

2. The applicant was the original respondent in the claim petition for compensation on account of vehicular accident. He was ex-parte before the tribunal. The insurance company preferred appeal against the judgment and award passed by the Tribunal in the claim petition. This Court allowed the said first appeal partly, limiting the liability of the appellant – insurance

company to the extent of Rs.1 lakh. In the appeal as well, this applicant did not appear inspite of service of notice.

3. He was held owner of the vehicle involved in the said accident. Now, he has placed on record a certified copy of the registration certificate of the vehicle involved in the accident. The accident took place on 10th November, 2011, while as per the registration certificate, this applicant was the owner of the said vehicle during the period from 22nd July, 2008 to 09th December, 2010. He, not being the owner of said vehicle on the date of the accident, there is substance in his application for review.

4. The question is whether the application for review is maintainable would be considered independently. Issue notice to the respondents returnable on 06th August, 2025. Mr. Swapnil Deshmukh, learned counsel waives service of notice for Respondent No. 2 to 4.

(R.G. AVACHAT, J.)

SSD