



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.1255 OF 2026  
IN  
FIRST APPEAL (ST) NO. 4545 OF 2026

Diliprao s/o Chindhuji Bante (dead) Thru. LRs  
Vs.  
Suresh s/o Sahadev Thombare and anr.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.  
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Mr. I.S. Charlewar, Advocate for applicants.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 17.03.2026

By this application, the applicants seek leave to file an appeal against the judgment and award dated 22.04.2022 passed by the learned Motor Accident Claims Tribunal, Nagpur in Claim Petition No.1083/2014. The applicants are the legal representatives of deceased Diliprao Bante, who was arrayed as party respondent No.1 in the claim petition.

2. Learned counsel for the applicants submits that the deceased Diliprao Bante was the owner of the offending vehicle, who had expired in the year 2011 itself and the claim petition was filed in 2014 and it was contested against the dead person. Now, after the claim

petition is decided, the original claimants are seeking to execute the award against the applicants, who are the legal representatives of the deceased. Therefore, they have sought leave to challenge the judgment and award passed by the learned Motor Accident Claims Tribunal.

3. Having regard to the fact that the claim petition was decided against the dead person and now the execution proceedings are filed against the applicants, interest of justice demands that the applicants be granted leave to challenge the judgment and award passed by the learned Motor Accident Claims Tribunal. Hence, the civil application is allowed.

4. The applicants are granted leave to file an appropriate appeal challenging the judgment passed in Motor Accident Claim Petition No.1083/2014.

5. Civil application is allowed and disposed of accordingly.

**(Prafulla S. Khubalkar, J.)**