

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1430 OF 2002

Mahadeo Balku Bhosale Appellant

VERSUS.

Sajabai W/o. Balu Mahadik And Ors. Respondents

WITH

CIVIL APPLICATION IN FA NO. 3381 OF 2002

IN

FIRST APPEAL NO. 1430 OF 2002

Mahadeo Balku Bhosale Applicant

VERSUS.

Sajabai W/o. Balku Mahadik And Ors. Respondents

Dr. Uday Warunjikar (Through VC) a/w Adv. N. G. Kamble, for Appellant.

Ms. Varsha Chavan (Through VC), for Respondent No.10 – Insurance Company.

CORAM : ASHWIN D. BHOBE, J.

DATE : 16th OCTOBER, 2026.

P.C.

1. Heard, Dr. Uday Warunjikar, learned Advocate for the Appellant and Ms. Varsha Chavan, learned Advocate for Respondent No.10 – Insurance Company.

2. By the present Appeal, the Appellant challenges the judgment and award dated 3rd July 2001 passed by the Motor Accident Claims Tribunal, Sangli, in M.A.C.P No. 118 of 1992.

3. Ms. Varsha Chavan, learned Advocate for Respondent No. 10–Insurance Company, relying on this Court’s decision in First Appeal Nos. 143 and 144 of 2003, submits that this Appeal has become academic, as the Appellant, who was a party to those proceedings, has not challenged that decision.

4. Dr. Uday Warunjikar, learned Advocate for the Appellant, fairly submits that as of today, the Appellant has not challenged the judgment in First Appeal Nos. 143 and 144 of 2003. He, however, submits that this Appeal be disposed of, by keeping open the Appellant’s right to avail of such remedies as may be available in law in the event the Claimant initiates execution proceedings.

5. In view of the submissions made by Dr. Uday Warunjikar, learned Advocate for the Appellant, the Appeal stands disposed of with liberty as prayed for. If any such proceedings are initiated, the Claimants' rights to contest them and all their contentions available in law remain open.

6. First Appeal No.1430 of 2002 is disposed of as infructuous.

7. All pending Civil Applications, if any, also stand disposed of accordingly.

(ASHWIN D. BHOBE, J.)