

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.7373 OF 2014
IN
FIRST APPEAL NO.1080 OF 2010

Kavita Sahebrao Govande
and anr. ..Applicants

Versus

The State of Maharashtra ..Respondent

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Mr.P.M.Gaikwad, advocate for applicants

Mr.V.R.Mundada, advocate for respondent no.1

Mr.A.S.Barlota, advocate for respondent no.3

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CORAM : M.T. JOSHI, J.
DATE : JANUARY 08, 2015

PER COURT :

Heard.

2] The earlier application of the applicants was disposed of without any order due to absence of the parties.

3] The arguments from both the sides would reveal that upon death of eleven years old girl, the claim was preferred by her parents – claimants. Learned Chairman of the Motor Accident Claims Tribunal, Aurangabad exonerated present appellant – Insurance Company from the liability to pay the compensation, as the rider of the motorcycle, which was insured by the present appellant, was minor and was not holding valid driving license at the time of the accidental death of the girl. In that view of the matter, there is no merit in the application.

4] The application is, therefore, dismissed. The applicants can very well move for early hearing of the appeal itself.

[M.T. JOSHI, J.]