

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

FIRST APPEAL (ST) NO.3354 OF 2012

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.Devendranath S. Joshi for the appellant

Mr.V.M.Parkar for the respondent

CORAM : K.K.TATED, J.
DATED : 29/01/2016

PC:

1 Not on board. At the request of Advocate for the appellant, matter is taken on board for urgent orders.

2 This appeal is preferred by Insurance Company challenging the judgment and award dated 24.8.2011 passed by Commissioner for Workmens Compensation and Judge, 3rd Labour Court, Mumbai in Application WC on 605/C-195 of 2007 holding that the respondents claimant is entitled sum of Rs.3,45,337/- with 12% interest by way of compensation.

3 Admit.

4 Substantial questions of law involved in the present Appeal are as under:

a) Whether the Trial Court is justified in

holding that the deceased was the workman of the Respondent No.2, when the Claimant has not produced any documentary evidence on record, more particularly when the said fact is specifically denied by the Appellant and not specifically admitted by the Respondent No.2 on account of failure to file written statement ?

b) Whether the Trial Court erred in holding income of deceased at Rs.4,000/- p.m. When the salary certificate produced on record was not proved by the author of the said document ?”

4 Appellant to file private paper book within one year from today, failing which the appeal shall stand dismissed without further reference to the court.

5 Printing and filing of Roznama is dispensed with.

6 The learned counsel for the respondent waives service.

(K.K.TATED, J.)