

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST) NO. 23869/2014

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. D. S. Joshi for the Appellant

Mr. Bennet D'costa for the Respondent No.1

CORAM : K. K. TATED, J.

DATE : JANUARY 7, 2016

P.C.:

1. Not on board. By consent, the matter is taken on board for admission.
2. The Appellant is directed to remove all office objections within 4 weeks from today, failing which the matter shall stand dismissed without further reference to the court.
3. The appeal is preferred by the Insurance Co. challenging the award dated 18/10/2013 passed by the MACT, Nasik in MACP No.381/2009 awarding a sum of Rs.17,84,200/- with 9% p.a. interest by way of compensation to the Respondent.
4. The learned counsel for the Appellant

submits that there was delay on the part of the Respondent-Claimant in lodging FIR. He further submits that the truck in question was not involved in the accident. In spite of that the Tribunal held that the owner as well as the Insurance Co. is liable to pay compensation.

5. Considering the submissions made by the learned counsel for the Appellant and after perusing the impugned award, I am satisfied that the Appellant has made out a case for admission of the appeal.

4. Hence, following order is passed:

a. Admit.

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

c. Printing and filing of roznama dispensed with.

d. The learned counsel for the Respondent No.1 waives service.

JUDGE