

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**FIRST APPEAL NO.413 OF 2015**  
**with**  
**CAF/4256/2015**

The New India Assurance Co. Ltd. ... Appellant

Vs.

Pashupati Nilkantha Bhadra & Ors. ... Respondents

Ms.Sucheta D. Ghaisas i/b D.S. Joshi for the Appellant  
Mr.K.H. Joshi for Respondent Nos.1 & 2

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **5<sup>th</sup> FEBRUARY, 2016**

**P.C.:**

1. This appeal challenges the order dated 22.4.2014 passed by the learned Member, Motor Accident Claims Tribunal, Mumbai below exhibit 2 in MACP No.425 of 2013.
2. Heard. Vakalatnama of the respondent Nos.1 and 2 tendered by Mr.K.H.Joshi, is accepted.
3. Admit. By the consent of the parties, the appeal is called out and heard finally at the stage of admission.
4. It is a no fault liability u/s 140 of the Motor Vehicles Act. The insurance company is liable to pay towards no fault liability to the claimant. After hearing the learned Counsel for the appellant and on going through

the appeal, I do not find any ground is made out to entertain this appeal challenging the order passed under section 140 of the Motor Vehicles Act. The contentions raised herein are kept open at the time of final hearing of the application u/s 166 of the Motor Vehicles Act.

5. With this direction, the First Appeal is dismissed. Civil Application also stands disposed of.

**(MRIDULA BHATKAR, J.)**