

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL (ST) NO. 18555 OF 2012
WITH
CIVIL APPLICATION NO. 3067 OF 2012
WITH
CIVIL APPLICATION NO. 3068 OF 2012

The Manager, The New India Assurance Co Ltd ...Appellant
Versus
Rama Sajanya Jadhav & Ors ...Respondents

Mr Ramesh Cheulkar, for the Appellant.
Ms Poonam Mittal, for Respondent No.3.

CORAM: G.S. PATEL, J
DATED: 26th July 2017

PC:-

1. The appellant is one of the two insurance companies involved. The other is Respondent No.3. The claim was under Section 166 of the Motor Vehicles Act, 1988 (“**MV Act**”) for injuries and disability.

2. The Appellant and Respondent No.3 were ordered jointly and severally to pay an amount of Rs.25,000/- inclusive of the amount of the interim award under Section 140 of the MV Act.

3. The liability of the Appellant and Respondent No.3 has been apportioned equally. Given that the amount of the statutory deposit itself is Rs.25,000/-, I do not believe it is even necessary to discuss any point sought to be raised in the Appeal. Appeals of this low a value should not be filed. The filing of the Appeal is itself an unconscionable waste of public money and the court's time. I decline to entertain these applications or the appeal itself, though it is a First Appeal only because the amount involved is so meagre as to make it worthless prosecuting such an appeal. Interestingly, the statutory deposit is itself equivalent to the amount awarded. This means that the actual cost of filing of the Appeal, including lawyer's fees, exceeds the amount of the award. The incongruity speaks for itself.

4. The Appeal is dismissed. There will be no order as to costs. In view of the disposal of the Appeal, the Civil Applications do not survive and are disposed of accordingly.

(G. S. PATEL, J.)