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

**FIRST APPEAL (ST) NO. 15567 OF 2016
WITH
CIVIL APPLICATION NO.3167 OF 2016
WITH
CIVIL APPLICATION NO.3655 OF 2018**

National Insurance Co.Ltd. ... Appellant.
V/s.
Shewantibai s/o Sukhdeo Dongare'
and anr ... Respondents

**ALONGWITH
FIRST APPEAL (ST) NO. 15450 OF 2016
WITH
CIVIL APPLICATION NO.3169 OF 2016
WITH
CIVIL APPLICATION NO.3663 OF 2018**

National Insurance Co. Ltd. ... Appellant.
V/s.
Bhagirathibai Waman Dongare
and anr ... Respondents

**ALONGWITH
FIRST APPEAL (ST) NO. 15525 OF 2016
WITH
CIVIL APPLICATION NO.3171 OF 2016**

National Insurance Co.Ltd. ... Appellant.
V/s.
Sonabai Chintamani Dongare
and anr ... Respondents

Ms. S.S. Dwivedi, for the appellants.
Ms. Rina Kundu, for respondent claimants.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 1st NOVEMBER, 2018.

P.C. :

1] Heard learned counsel for the appellant and respondent claimants.

2] These Appeals are preferred by the Insurance Company, challenging the award passed by the Tribunal, only on the count that at the relevant time when accident took place on 18.11.2001, the offending Rickshaw was not insured with the appellant company. Policy was issued only on 19.11.200. It is submitted that the premium was paid in cash. Therefore, the the appellant Insurance Company is not liable to pay the compensation to respondents. Respondents in these appeals were the passengers in the said rickshaw and they had filed these claims for compensation on account of injuries suffered by them.

3] Considering a very short issue involved in these Appeals, Appeals are taken up for final hearing.

4] It is undisputed position on record that the insurance policy was issued on 19.11.2001. However,the covering note was issued by the agent by accepting the first premium on 15.11.2001 itself. The covering note specifically mentions period of insurance from 15.11.2001 to 14.11.2002. Therefore, the accident took place on

18.11.2002, is covered under the very note of the Insurance. Therefore, there is hardly any substance in the contention raised by the appellant in order to avoid the liability to pay the compensation. The Appeals are, therefore without merit, hence stand dismissed.

5] In view of dismissal of the Appeals, pending Civil Applications therein no more survive and they are disposed off

[DR.SHALINI PHANSALKAR-JOSHI, J.]