

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

FIRST APPEAL NO.162 OF 2018

The New India Assurance Co. Ltd.

.... Appellant/
Applicant

versus

Manpreet Yogesh Pagar & Ors.

... Respondents

.....

- Mr.Devendranath S. Joshi, Advocate for the Appellant/
Applicant.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATE : 02nd FEBRUARY, 2018.**

P.C. :

1. Heard learned counsel for the Appellant.
2. By this First Appeal the insurance company is challenging the Judgment and Award dated 30/09/2016 passed by Motor Accident Claims Tribunal Pune in M.A.C.P. No.346 of 2012 holding that the Respondent claimants are entitled for sum of Rs.56,25,000/- by way of compensation with future interest at the rate of 8% per annum.
3. The learned counsel Mr.D.S. Joshi for the Appellant submits that by this First Appeal they are challenging the

quantum of compensation award passed by the Tribunal. He submits that though the Tribunal recorded in paragraph No.18 of the impugned Judgment that the Respondent claimants failed to produce any documentary evidence about the income of the deceased, the Tribunal awarded Rs.56,25,000/-.

4. Considering the submissions made by the learned counsel for the Appellant and after going through the impugned judgment, we satisfy that the Appellant has made out case for the following order:

- (a) Admit.
- (b) The Appellant 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 dispensed with.
- (d) The Registry is directed to call for Records and Proceedings immediately.
- (e) Hearing of Appeal is expedited.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)