

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

C.A.F. NO. 3705/2018 IN FIRST APPEAL ST. NO. 27078/2018

(NATIONAL INSURANCE CO. LTD., NAGPUR ...VERSUS... KUSUM UKANDRAO MUNNE &
 ORS)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri S. Borkar, counsel for the applicant.

CORAM : NITIN W. SAMBRE, J.

DATE : DECEMBER 12, 2018.

There is delay of 363 days in preferring the appeal.
 The delay of about one year is claimed to have been caused due to
 administrative reasons.

I hardly see any convincing reason to infer that the
 delay cause is *bona fide*. Apart from above, the appeal is preferred
 against the award of No Fault Liability of Rs.50,000/-. It is the
 consistent view of this Court that in case on merits if it is noticed
 that the insurance company is not liable to pay the amount of No
 Fault Liability, the Claims Tribunal can pass appropriate order
 protecting the interest of the insurance company.

In view of above, the application stands dismissed.
 The amount, if any, deposited in this Court be remitted back to
 the Motor Accident Claims Tribunal-1, Nagpur.

(NITIN W. SAMBRE, J.)

APTE