

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

FIRST APPEAL NO.290 OF 2018

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms.Urmila K. Sanil for the appellant

Mr.Nikhil Pawar i/b Mr.T.S.Ingale for the
respondent no.2

**CORAM : K. K. TATED, J
DATE : MARCH 27, 2019**

P.C.:

. Heard.

2 Advocate for the appellant submits that by this First, Appeal Insurance Company is challenging the judgment and award dated 17.12.2007 passed by MACT, Kolhapur in MACP No.411 of 2006 awarding sum of Rs.1,47,000/-.

3 The learned counsel for the appellant submits that Tribunal failed to consider material fact that there was breach of the terms and conditions of the policy. She submits that even driver of the offending

vehicle was not holding valid licence. Hence, they have good chance of success in the present matter.

4 Considering the submissions made by the learned counsel for the Appellant and the impugned judgment and award, following order is passed:

a. ***Admit.***

b. The Appellant to file private paper book within one year from today, with copy to other side, failing which the First Appeal shall stand dismissed without further reference to the court.

c. Printing dispensed with.

d. Registry is directed to call R & P immediately.

e. The learned counsel for the Respondent nos.2 waives service.

f. Hearing of First Appeal is expedited.

(K.K.TATED, J.)