

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

FIRST APPEAL NO.786 OF 2013

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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Mr.D.R.Mahadik for the Appellant

**CORAM : K. K. TATED, J
DATE : SEPTEMBER 11, 2019**

P.C.:

. Heard.

2 Though Respondents are duly served, no one appeared on behalf of them when the matter was called out.

3 By this First Appeal, appellant Insurance Company is challenging the judgment and award dated 6.12.2012 passed by MACT, Nashik in MACP No.77 of 2006 holding that the Respondents original Claimants are entitled sum of Rs.3,31,000/- by way of compensation with interest @ 6% p.a. from the date of Application till realization of entire

amount.

4 The learned counsel for the Applicant submits that though Insurance Company brought on record the fact that Driver of the offending vehicle was not holding valid licence on the date of accident, inspite of that, Tribunal held that Insurance Company is also liable to pay compensation. In support of this contention, the learned counsel for the Applicant relies on finding of the Trial Court on issue no.3.

5 Considering the submissions made by the learned counsel for the appellant and the impugned judgment and award, I am satisfied that the Appellant has made out a case for following order:

- 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.

(K.K.TATED, J.)