

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

FIRST APPEAL (ST.) NO.6773 OF 2016

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.Nisha Gandhi i/b M/s.Res Juris for the appellant

Mr.R.S.Pachundkar for the respondent nos.1 to 3

**CORAM : K. K. TATED, J
DATE : APRIL 10, 2019**

P.C.:

. Heard.

2 By this First Appeal, appellant Insurance Company is challenging the judgment and award dated 10.9.2015 passed by MACT, Pune in MACP No.684 of 2012 holding that respondents Claimants are entitled sum of Rs.7,01,000/- by way of additional compensation and interest @ 9% p.a. on the said amount.

3 Learned counsel for the appellant submits that Tribunal failed to consider the fact that

cheque issued by the owner of the offending vehicle towards the premium of the Insurance Policy was dishonoured. Therefore, there is no question of holding Insurance Company liable. She further submits that Insurance Company is challenging the judgment and award passed by Tribunal on the basis of quantum. Considering these facts, 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.

(K.K.TATED, J.)