

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST) NO.10924 OF 2009

The Oriental Insurance Co. Ltd. .. Appellant
Versus
Shri. Nana Hari Kamblekar and Ors. .. Respondents

Mr. Sandeep Jinsiwale for appellant.

CORAM: K.K. TATED, J.

DATED : MARCH 14, 2019.

P.C. :

1. Not on board. At the request of advocate for appellant, matter is taken on board for urgent orders.

2. Heard learned Counsel for appellant.

3. By this First Appeal, appellant-Insurance Company is challenging the Judgment and Award dated 02.07.2008 passed by Motor Accident Claim Tribunal, Raigad at Alibaug in Motor Accident Claim Petition No. 503 of 2001 holding that the respondents/original claimants are entitled for a sum of Rs.3,57,000/- by way of compensation along with interest at the rate of 7% per annum.

4. The learned Counsel for the appellant submits that they are challenging the Judgment and Award passed by the tribunal on the ground of breach of terms and conditions of the policy. Considering the submissions made by learned Counsel for the appellant and the impugned order, I am satisfied that the appellant has made out case for following order :-

- a) Admit.
- b) The Appellant to file private paper book within one year from today, failing which First Appeal shall stand dismissed without reference to the Court.
- c) Printing dispensed with.
- d) Registry is directed to call R & P immediately.

(K. K. TATED, J.)