

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION
FIRST APPEAL NO.869 OF 2018**

United India Insurance Company Limited .. Appellant

vs

Sajerao Balu Nikam & anr

.. Respondents

Mr.Rahul Mehta i.b M/s KMC Legal Venture for Appellant

Ms.Vijaylakshmi S.Nikam for Respondents.

CORAM : K.K.TATED , J

DATE : 9th April, 2019

P.C

Heard learned counsel for the parties.

2. By this First Appeal, the Appellant-Insurance Company is challenging the judgement and award dated 16.2.2018 passed by the MACT, Mumbai in MACP No.1400 of 2014 holding that the Respondent-Claimant is entitled to a sum of Rs.13,94,500/- by way of compensation with interest at the rate of 9 % p.a. from the date of claim Petition i.e.15.9.2012 till realization of the entire amount.

3. Learned counsel Mr.Mehta for the appellant submits that, by this First Appeal they are challenging the judgement and award passed by the Tribunal to the extent of Rs.4,80,003/- with accrued interest only. The following clause at page 9 of the First Appeal reads thus :

VALUATION:

“The Appellant has challenged the judgment and award to the tune of Rs.4,80,003/- and which amount has been challenged for the valuation is restricted in the present appeal.”

4. Considering the averments made by the learned counsel for the appellant, and the impugned Judgement and award, I am satisfied that the appellant has made out a case for the following order :

ORDER

- (A) Admit.
- (B) Printing dispensed with.
- (C) Appellant to file private paper book within one year from today with copy to the other side failing which the First Appeal shall stand dismissed without reference to the Court.
- (D) The Registry is directed to call for R and P immediately.
- (E) Learned advocate for respondent no.1 waives service.

{K.K.TATED, J}