

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 752 OF 2019

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. Rahul Mehta I/b KMC Legal Venture for the Appellant.

Mr. D.S. Joshi for the Respondent No.1.

CORAM: K.K.TATED, J.

DATED : 26/08/2019

P.C.

1 Heard learned Counsel for the appellant.

2 By this First Appeal, the Appellant Insurance Company is challenging the Judgment and Award dated 03.03.2018 passed by MACT, Mumbai in MACP No. 2561 of 2008 holding that the Respondents original Claimants are entitled to a sum of Rs. 22,82,930/- by way of compensation with interest @ 9 % p.a. from the date of filing of the petition till realisation of the entire amount.

3 The learned Counsel for the Appellant submits that by this First Appeal they are challenging the Judgment and Award passed by the Tribunal only on quantum basis. Hence, notice to Respondent No.2 be

dispensed with.

4 Notice to Respondent No.2 is dispensed with at the costs and consequences of the Appellant.

5 The learned Counsel for the Appellant submits that Tribunal has awarded compensation on higher side. He submits that other objections raised by the Appellant are not considered by the Tribunal . Hence, they preferred the present First Appeal.

6 Considering the submissions made by the learned Counsel for the Appellant and the Judgment and Award, I am satisfied that Appellant has made out a case for following order:

- a) Admit.
- b) Printing is dispensed with.
- c) Appellant to file private paper book within one year from today, failing which First Appeal shall stand dismissed without further reference to the Court.
- d) Registry is directed to call R & P immediately.
- e) The learned Counsel for the Respondent No.1 waives service.

(K.K.TATED, J.)