

ssp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.130 OF 2019

Iffco Tokio General
Insurance Company Limited ...Appellant
vs.
Sanjay Ganpat Chaudhari & Anr. ...Respondents

Mr.Vikrant V. Parshurami for the Appellant

CORAM : K.K.TATED, J.
DATE : SEPTEMBER 5, 2019

P.C.:

1 Heard the learned counsel for the appellant. By this First Appeal the appellant is challenging the Judgment and Award dated 24th April 2018 passed by the Motor Accident Claims Tribunal, Alibag in MAC Petition No.399 of 2010 holding that the respondents is entitled to sum of Rs. 7,14,067/- by way of compensation with interest at the rate of 9% p.a.

2 The learned counsel for the appellant submits that the Tribunal erred in coming to the conclusion that the insurance company is liable to pay compensation, though they have placed on record that on the date of accident the respondent was not holding a valid licence. The medical bill placed on record at Exh.51 to the extent of Rs.65,067 was not proved by the claimant. Hence, he submits that they have good chance of success.

3 Considering the submissions made by the learned counsel for the appellant and the impugned Judgment and Award, I satisfied that the appellant has made out a case for passing the following order:

a) Admit.

b) Printing is dispensed with.

c) Appellant is directed to file private paper book within one year from today with a copy to the other side failing which the First Appeal shall stand dismissed for non prosecution.

d) Registry is directed to call for R & P immediately.

(K.K.TATED,J.)