

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

First Appeal No.309 /2017

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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Mrs. Varsha Chavan Advocate for appellant.
None for respondent.

CORAM : K.K.TATED, J.
DATED : JUNE 04 , 2019

P.C.

Heard learned counsel for appellant.

2 By this First Appeal, the appellant/Insurance Company is challenging Judgment and Award dated 23.3.2016 passed by Motor Accident Claims Tribunal Mumbai in Motor Accident Claim Application No.947/2010 holding that the Respondents/Claimants are entitled for compensation of Rs.12,78,000/- with interest.

3. Learned counsel for appellant submits that the Tribunal has failed to consider the fact that the vehicle was not insured with

the Insurance Company on the date of accident. Therefore, there is no question of holding that the Insurance Company is liable to pay the compensation. In support of his contention, the learned counsel relies on the para 14 of the impugned Judgment and Award.

3. Considering the submissions made by the learned counsel for the Appellant and the Judgment and Award, I am satisfied that the Appellant has made out a case for following order.

- a) Admit.
- b) Printing dispensed with.
- c) The Appellant is directed 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 referring to this court.
- d) Registry is directed to call record and proceeding immediately from trial court.

(K.K.TATED, J.)