

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 1350 OF 2015**

The New India Assurance Co. Ltd.
Through Mumbai Regional Office – I. Appellant.

Vs.

Smt. Usha Ganpatrao Mohite and Ors. Respondents.

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Mr. Devendranath S.Joshi for the appellant.
None for the respondents.

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**CORAM : K.K.TATED, J.
DATED : AUGUST 19, 2019**

P.C.

Heard Learned Counsel Mr.Joshi for the appellant.

2. By this First Appeal, the appellant/Insurance Company, challenging the Judgment and Award dated 15/07/2017 passed by the Motor Accident Claims Tribunal Kolhapur in Motor Accident Claim Petition No.486 of 2010, holding that the respondents/claimants are entitled sum of Rs.35,65,040/- by way of compensation with interest at the rate of 8% p.a.

3. The Learned Counsel for the appellant submits that they are challenging the impugned Judgment and Award on the basis of contributing negligence and quantum of compensation.

4. Considering the submissions made by the appellant and the impugned Judgment and Award, I am satisfied that appellant is made out case for following order :

ORDER

(a) Admit.

(b) Printing dispensed with.

(c) Appellant is directed 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 and P immediately.

(K.K.TATED, J.)