

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

First Appeal No. (ST) 32997/2015

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mr. D. S. Joshi for the Appellant
Mr. P. J. Pawar for Respondent No.1
Mr. Siddharth Idnani I/b. Avinash Gokhale
for Respondent No.2.

CORAM : K.K.TATED, J.
DATED : MAY 3, 2019

P.C.

Heard. By this First Appeal, the Appellant Insurance Co. challenges the judgment and award dated 17.04.2015 passed by the MACT Pune in MACP No.433/2010 holding that the Respondent claimants are entitled to Rs.10,75,200/- by way of compensation along with interest @ 8% p.a.

2 The learned counsel for the Appellant submits that the tribunal has failed to consider the fact that on the day of the accident, the Driver of the offending vehicle was not holding a valid license. Hence, the Insurance Co. is not liable to pay the compensation.

3 Considering the submissions made by the learned counsel for the Appellant and the impugned order, the following order is passed:

a) **Admit.**

b) 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 reference to the court.

c) Printing dispensed with.

d) Call R & P.

e) The learned counsel for the respective Respondent waive service.

(K.K.TATED, J.)