

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

First Appeal No.516/2019

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. V. V. Parshuramani for the Appellant

CORAM : K.K.TATED, J.
DATED : JULY 9, 2019

P.C.

1 Today the matter is placed on board for speaking to the minutes of order dated 18.06.2019.

2 In cause title instead of First Appeal No.516/2017 it should be First Appeal No.516/2019.

3 Order dated 18.06.2019 stands corrected accordingly. Corrected order reads thus:

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Mr. V. V. Parshuramani for the Appellant

CORAM : K.K.TATED,J.
DATED : JUNE 18, 2019

P.C.

1 Heard. By this appeal, the Appellant challenges the judgment and award dated 08.08.2018 passed by the MACT Pune in MACP No.573/2013 holding that Respondent-Claimant is entitled to sum of Rs.8,98,360/- towards compensation with 9% p.a. interest.

2 The learned counsel for the Appellant submits that while awarding compensation, the tribunal has failed to consider the fact that at the time of accident the Respondent was not holding a valid permit. He submits that in support of this contention, the Appellant examined two witnesses i.e. R.W.1 Swapnil Uke at Exhibit- 70 and R.W.2 Milind Jagannath Talele at Exhibit- 84. He submits that in spite of that the Tribunal held that the Respondent-Claimant is entitled to compensation. He submits that they have good chance of success in the matter.

3 Considering the submissions made by the learned counsel for the Appellant and the impugned judgment and award, 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.

e. Call R & P.

(K.K.TATED, J.)