

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST) No. 34376 OF 2017

Reliance General Insurance Company
Limited through Its
Manager Legal.
Mr. Khanjan Joshi ...Appellant
Vs.
Smt. Sangeeta Hublal Patel & Ors. ...Respondents

Mr. Rahul Mehta i/b. KMC Legal Venture for the Appellant
Ms. Varsha Chavan for Respondent Nos. 1 to 5

CORAM: K.K. TATED, J.

DATED : JUNE 14, 2019

P.C. :

1. Not on board. Upon mentioning, the matter is taken on board for urgent order.
2. Heard learned counsel for the parties.
3. Learned counsel Mr. Rahul Mehta for the Appellant submits that notice to respondent No.6 may be dispensed with, because they are challenging the judgment and award passed by the tribunal only on the basis of quantum. Same can be allowed at the costs and consequences of the Appellant.
3. By this first appeal, the Appellant – Insurance Company is challenging the judgment and award dated 16th May, 2017 passed by the Motor Accident Claim Tribunal, Mumbai in M.A.C. Application No. 542 of 2012 holding that the Respondents/ Original Claimants are entitled compensation to the tune of Rs.15,46,000/- with interest @ 9% p.a.

5. Considering the submissions made by the learned counsel for the Appellant and the impugned judgment and award, I am satisfied that the Appellant has made out a case for following order:

- (a) Admit.
- (b) Printing dispensed with.
- (c) Appellant to file private paper book within one year from today failing which first appeal shall stand dismissed without referring back to the Court.
- (d) The Registry is directed to call for R & P immediately.
- (e) Learned counsel Ms. Varsha Chavan waives service on behalf of Respondent Nos. 1 to 5.
- (f) Notice to respondent No.6 is dispensed with at the costs and consequences of the Appellant.

(K. K. TATED, J.)