

Tikam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL (ST) No. 36053 OF 2017

Reliance General Insurance Company Limited	...Appellant
Vs.	
Mr. Sachin Parshuram Kene and Anr.	...Respondents

Mrs. Shalini Shankar for Appellant

CORAM : SHRI K.K. TATED, J.

DATE : MAY 02, 2019

P.C.:

1. Heard learned counsel Mrs. Shalini Shankar for the Appellant
2. Not on Board. At the request of learned counsel for the Appellant, matter is taken on board.
3. By this First Appeal, the Appellant Insurance Company is challenging the judgment and award dated 14th August, 2107 passed by the Motor Accident Claim Tribunal, Kalyan in MACP No. 20 of 2012 holding that the Respondent/Claimant is entitled the sum of Rs.9,05,000/- by way of compensation with interest @ 9% p.a.
4. Learned counsel for the Appellant submits that, the accident had occurred on 6th July, 2011 in which the Original Claimant had sustained injury and because of that, he has suffered 20% disability. The learned counsel for the Appellant submits that, thereafter, he was promoted in the service, and therefore, there is no question of loss of earning. In spite of that, the Trial Court awarded compensation for loss of income.

5. Considering the submissions made by the learned counsel for the Appellant, and the impugned judgment and award dated 14th August, 2017, I am satisfied that the Appellant has made out a case for following order :

ORDER

- (A) Admit.
- (B) Printing dispensed with.
- (C) The Appellant to file private paper book within one year from today with copy to other side failing which First Appeal shall stand dismissed without referring back to the Court.
- (D) The Registry is directed to call for R and P immediately.

[K.K. TATED, J.]