

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

FIRST APPEAL NO. 32/2019.

Reliance General Insurance Co. Ltd., Nagpur.

-VERSUS-

Smt. Leelabai Sunil Nemade and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri D.N. Kukdey, Advocate for the Appellant.
Shri S.P. Pawar, Advocate for Respondent No.1.

CORAM : VINAY JOSHI, J.

DATE : 05.11.2019.

Heard.

2. The appellant/original respondent no.3 Insurance Company by present appeal has challenged the award passed by the Motor Accident Claims Tribunal in M.A.C.P. No.253/2009 dated 19.08.2017. The Claims Tribunal has partially allowed the injury claim and directed the then respondents to pay total compensation of Rs.45,000/- along with interest.

3. Having regard to the controversy, the Tribunal has apportioned the awarded amount between two Insurance Companies with certain proportion as specified in paragraph no.4 of the

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award. Being dissatisfied by the said impugned award, one of the Insurance Company has preferred this appeal.

4. This litigation has some history, as out of same accident several claim arose and had been decided separately by the M.A.C.T. Buldhana. Being aggrieved by different awards passed by the Tribunal, several appeals were filed by both the Insurance Companies i.e. Reliance General Insurance Company and National Insurance Company. All the appeals were heard together and came to be disposed of by a common judgment and order dated 20.09.2019 delivered in First Appeal No. 1279/2018 alongwith connected matters.

5. Since the controversy is already concluded by this Court, the learned counsel appearing for the respective parties have urged that the present appeal be also disposed of in terms thereof. In view of the fact that the controversy is covered by the judgment and order delivered by this Court in First Appeal No.1279/2018, for the reasons recorded therein, present Appeal is also disposed of accordingly. No costs.

JUDGE

Rgd.