

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

FIRST APPEAL STAMP NO.15237/2018

Ashabai W/o Devidas Kumbhalkar and others

..Vs..

Amit S/o Suresh Yadav and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.R. Charpe, Advocate for the appellants.

CORAM : NITIN W. SAMBRE, J.

DATED : 19.9.2019

1] If the office objections are not removed within four weeks from today, the appeal shall stand dismissed without reference to Court.

2] Heard.

3] According to Shri Charpe, the order impugned dated March 23, 2018 observes that there is a contributory negligence on the part of the deceased to the extent of 50% and as such Tribunal awarded 50% compensation to the claimants out of Rs.8,56,800/-.

4] According to him, even though the respondent has not adduced any evidence, the finding of negligence on the part of the deceased was recorded without any basis because there was pleadings to that effect by the respondent.

5] Case for consideration is made out.

6] **ADMIT.**

7] Respondent No.3 / insurance company is directed to deposit the balance amount of compensation in this Court.

8] Appellant to file paper book within a period of six months from today, failing which the appeal shall stand dismissed without reference to Court.

JUDGE

Tambaskar.