

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

FIRST APPEAL NO.560/2018

Future Generali India Insurance Co. Ltd.

..Vs..

Sunanda Wd/o Chandrakant Pawar 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 H.N. Verma, Advocate for the appellant.
Shri P.R. Agrawal, Advocate for respondent Nos.1 to 3.

CORAM : NITIN W. SAMBRE, J.

DATED : 25.9.2019

1] Heard.

2] The submissions of the learned Counsel for the appellant are, there should have been an order of pay-n-recover in view of the fact that the appellant has examined its witness at Exh.36 so as to prove breach of policy conditions. According to him, learned Tribunal has committed an error of law in recording a finding that the appellant has not led any evidence in the matter. In view thereof, **ADMIT**.

3] Shri P.R. Agrawal, learned Counsel waives notice for respondent Nos.1 to 3.

4] Call R & P.

5] Paper book be filed with a period of 6 months from today, failing which the appeal shall stand dismissed without reference to Court.

C.A.F. NO.3410/2019

6] Though the prayer for withdrawal of the amount is opposed by the learned Counsel for the appellant, the respondents / claimants are permitted to withdraw 75% of the amount of compensation in terms of the order of Tribunal.

JUDGE

Tambaskar.