

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO.1270 OF 2009

New India Assurance Company Ltd.,
through its Divisional Office,
Aurangabad, Mahesh Auto Compound,
Adalat Road, Aurangabad

... APPELLANT

VERSUS

1) Amit s/o Mangalchand Jain (Parekh),
Age 25 years, Occu. Business,
R/o Betawad, Taluka Sindkheda,
District Dhule

2) Kishor s/o Subhashchand Jain,
Age Adult, Occu. Business
R/o as above.

... RESPONDENTS

.....
Shri S.G. Chapalgaonkar, Advocate for appellant
Shri A.D. Pawar, Advocate for respondent No.1.
shri M.G. Kocher, Advocate for respondent No.2.

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CORAM : R. G. AVACHAT, J.

DATE : 21st OCTOBER, 2021

PER COURT :

Heard. Perused the impugned award and the documents relied upon. It appears that, the offending vehicle had an insurance cover in the nature of private car package policy. The claimant was one of the occupants of the said vehicle. As such, the owner and the Insurance Company are

liable to compensate him for the injuries suffered in the accident involving the very vehicle. Thus, no grounds, as have been averred in the appeal memo, do survive.

2. In the result, the appeal fails. The same is dismissed. The amount deposited, if any, be paid to the respondent/ claimant along with interest accrued thereon immediately.

**(R. G. AVACHAT)
JUDGE**

fmp/-