

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

939 FIRST APPEAL NO.3300 OF 2015
WITH CA/10014/2015 IN FA/3300/2015

UNITED INDIA ASSURANCE COMPANY LTD.
VERSUS
VANITA SHESHRAO MORE AND OTHERS

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Advocate for Appellant : Mr. Rathi Swapnil S.
Advocate for Respondents : Mr. P.C. Mayure for R/1 to 4

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CORAM : M.G. SEWLIKAR, J.
DATE : 10.02.2021

PC.:-

This appeal is preferred by the insurance company-respondent no.2 in Claim Petition No.269/14 pending before the Member, M.A.C.T., Beed. The accident occurred because of the dash given to the motorcycle by an unknown vehicle. The deceased was a pillion rider. The M.A.C.T. awarded compensation on account of no fault liability under Section 140 of the Motor Vehicles Act to the petitioners who are the legal heirs of pillion rider. This order is impugned in this appeal.

2. Learned counsel Shri Rathi submitted that the pillion rider was not covered under the insurance policy of the motorcycle. This fact was pointed out to the learned Member of the Tribunal. Despite this, liability to

pay compensation on account of no fault liability is fastened on the insurance company / appellant herein.

3. Learned counsel Shri Mayure for the respondent-claimants argued that this point may be kept open and the Tribunal be directed to dispose of the claim within a specified period. It appears that the claim is of the year 2014. Therefore, the learned Member of the Tribunal is directed to dispose of the appeal within a period of six months from the date of receipt of the writ. All the points are kept open. Parties to co-operate for the disposal of the claim petition. R & P be sent back forthwith. The amount deposited by the appellant on account of no fault liability in this Court be transferred to the Tribunal at Beed. Appeal is disposed of. All the applications stand disposed of.

[M.G. SEWLIKAR, J.]