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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL (ST) NO. 21092 OF 2015

The Divisional Manager, Bajaj
Alianz Insurance Company Limited

.....Appellant

V/s.

Smt. Swati Sachin Jadhav and others

.....Respondents

Mrs. Yogita Deshmukh for the appellant
Mr. Pritesh Bohade for the respondents

CORAM : K. K. TATED, J.

DATE : MARCH 15, 2019.

P.C.

Heard learned counsel for the parties. The learned counsel
Shri. Pritesh Bohade waives service for respondent nos. 1 to 3.

2 By this First Appeal, appellant is challenging the Judgment
and Award dated 30/08/2014 passed by Motor Accident Claims
Tribunal, Nashik in Motor Accident Claim Petition No. 167/2011
holding that respondents are entitled compensation to the tune of
Rs. 6,80,000/- with 6% per annum.

3 The learned counsel for the appellant submits that deceased was travelling as gratuituous passenger in a truck, therefore, Insurance Company is not liable to pay compensation.

4 Considering the finding given by the Trial Court in para 10 and the submissions made by the learned Advocate for the appellant, I am satisfied that appellant has made out case for following order:

(I) Admit.

(II) Printing dispensed with.

(III) Appellant to file private paperbook within one year from today, failing which matter shall stand dismissed without referring back to the Court.

(IV) Registry is directed to call record and proceedings immediately.

[K. K. TATED, J.]