

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

FIRST APPEAL NO.205 OF 2006
(The Oriental Insurance Co.Ltd
VS.
Sarubai)

Office notes, office Memoranda of	Court's or
Coram, appearances, Court's orders	Judge's
or directions and Registrar's orders	Orders

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CORAM: K.U.CHANDIWAL, J.

DATE:19-3-2010

P.C.:-

1. Heard Mr. R.F.Totala, Counsel for the appellant Insurance Company, Mr.L.V.Sangit, Counsel for respondent nos. 1 to 3 and Mr.Pawar, Counsel for respondent nos. 4 to 6.

2. Counsel for the Insurance Company submits, that the deceased was a pillion rider, not covered under the policy. The head on collision with a tractor not insured with the appellant. Consequently, no liability could have been fastened by the learned Judge. The directions, first pay and then recover, are also

undesired.

3. Mr.Sangit, Counsel, submits that the issue of coverage of insurance to the pillion rider is subject before the Apex Court in a reference to a Larger Bench. He seeks time to get in correct and accurate details of the situation. S.O. as prayed to 29th March, 2010.

(K.U.CHANDIWAL)
JUDGE

agp/205-06fa