

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

CIVIL APPLICATION (CAF) NO. 3524 OF 2015

IN

FIRST APPEAL STAMP NO. 21455 OF 2015

NATIONAL INSURANCE CO. LTD.

VERSUS

SHRIRAMJI GANPATRAO GAIDHANE AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Ashish Paunikar, Advocate for the appellant.
Mr. V. R. Thote, Advocate for the respondent nos.1 and 2.

CORAM : PRASANNA B. VARALE, J.

DATE : JUNE 29, 2016.

Heard the learned counsel for the parties.

This is an application for condonation of delay caused in filing First Appeal.

For the reasons stated in the application, it is allowed. Delay is condoned.

The civil application is disposed of.

First Appeal Stamp No. 21455 of 2015

Heard.

It is the submission of the learned counsel for the applicant that the Claims Tribunal failed to appreciate the very material facts that the vehicle-tractor was being used for carrying bricks and the driver of the vehicle was not possessing valid driving licence at the time of accident and as such there was breach of policy. It is the submission of the learned counsel that on erroneous appreciation, the

Claims Tribunal allowed the claim partly and fastened the liability on the appellant-Insurance Company.

Admit.

Call R & P.

JUDGE

Diwale