

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

FIRST APPEAL NO. 1376 OF 2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Sandeep S. Jinsiwale for the appellant.

**CORAM : K. K. TATED, J.
DATED : 05/01/2016**

P.C.:

. Heard learned Counsel for the appellant.

2 This Appeal is preferred by Insurance Company challenging the Judgment and Award dated 12.02.2014 passed by M.A.C.T., Gadhinglaj in M.A.C.P. No. 58 of 2009 holding that Respondents claimants are entitled to compensation of Rs.3,49,000/- with 8% interest per annum from the date of filing of petition till realisation of the entire amount.

3 The learned counsel for the Appellant submits that Motor Accident Claim Petition stands dismissed against owner of the vehicle for want of service. He submits that if the petition dismissed against the owner of the vehicle, there is no question of passing any order against the Insurance Company to pay the compensation.

4 Considering this fact and after going through the impugned Judgment and Award passed by the Trial Court, I am of the opinion that appellant has made out case for admission of the present First Appeal.

5 Hence, following order is passed:

- a) Admit.
- b) Appellants to file private paper book within one year from today, failing which the appeal shall stand dismissed without further reference to the court.
- c) Printing and filing of Roznama is dispensed with.

(K.K.TATED, J.)