

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

First Appeal (ST) No.35249/2018

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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Ms. Aarti Taware I/b. Milind V. More for
the Appellant

CORAM: K.K.TATED, J.
DATED : SEPTEMBER 6, 2019

P.C.

1 Not on board. At the request of the learned counsel for the Appellant taken on board.

2 Heard. By this First Appeal, the Appellant challenges the judgment and award dated 03.02.2018 passed by the MACT, Karad in MACP No.184/2011 holding that the Respondent-Claimant is entitled to sum of Rs.4,62,000/- by way of compensation with interest @ 6% p.a.

3 The learned counsel for the Appellant submits that while passing the impugned judgment and award the Tribunal has failed to consider the fact that the cheque issued by the owner of the offending vehicle was dishonoured

and same was informed by them to the owner. Therefore, the Insurance Co. is not liable to pay the compensation.

4 Considering the submissions made by the learned counsel for the Appellant and the impugned judgment and award following order is passed:

a. **Admit.**

b. The Appellant is directed to file private paper book within one year from today with copy to other side, failing which the First Appeal shall stand dismissed without further reference to the court.

c. Printing dispensed with.

d. Call R & P.

(K.K.TATED, J.)