

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 2238 OF 2013
AND
CIVIL APPLICATION NO. 11594 OF 2013

Mohanlal Chotulal Bhatavale and anr. .. Appellants/
Applicants

VERSUS

Devidas Nagorao Gaikwad and others .. Respondents

Mr. M.M. Patil (Beedkar), Advocate for the
appellants/applicants
Swapnil S. Patunkar, Advocate for respondent no.1
Mr. M.M. Joshi, Advocate for the respondent nos.2 to 4

CORAM : M.T. JOSHI, J.
DATE : 21/01/2015

ORAL ORDER :

1. Heard both sides.
2. Appellant no.1 Mohanlal S/o Chotulal Bhatavale,
Respondent no.1-Devidas S/o Nagorao Gaikwad and
Respondent no.2-Kusum W/o Devidas Gaikwad are present.
3. Perused the terms of the settlement arrived
before the Mediator. Perused the contents of the
consent terms. Upon reading of the same, in my view,
the consent terms are in the interest of the respondent
nos.1 and 2 and they state that the said agreement has

not been obtained by fraud or undue influence or any other improper means.

4. In the circumstances, the appeal is disposed of in terms of the consent terms. The learned Commissioner is directed to register the said agreement as per the provisions of section 28 of the Workmen's Compensation Act, 1923. Disbursement of the amount with the up-to-date interest lying in the Office of the learned Commissioner of the Workmen's Compensation Act to respondent no.2 - Kusum W/o Devidas Gaikwad, would be subject to the discretion of the learned Commissioner of the Workmen's Compensation Act regarding investment etc.

5. First Appeal is disposed of accordingly.

6. Consequently, Civil Application no.11594 of 2013 seeking stay to the impugned judgment and order dated 27/6/2013 also stands disposed of.

[M.T. JOSHI]
JUDGE

arp/