

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.1138 OF 2016
WITH
CIVIL APPLICATION NO.507 OF 2015

M/s. Bajaj Allianz General
Insurance Co. Ltd.

...Appellants

Vs.

Smt. Nirmala Surjit Singh
Choudhari and Ors.

...Respondents.

Mr. M.M.Sathaye, Advocate for Appellants.

Mr. Pradeep Bhaduri i/by Pradeep Bhaduri & Co., Advocate for Respondent
Nos.1 to 6.

CORAM: R.M.SAVANT, J.

DATED : 3rd August, 2016

PC.

At the outset, the learned counsel Mr. Pradeep Bhaduri undertakes to file vakalatnama during the course of the week for the Respondent Nos.1 to 6. Statement accepted.

2 The learned counsel for the Parties that is Mr. M.M.Sathaye for the Appellants and Mr. Pradeep Bhaduri for the Claimants that is the Respondent Nos.1 to 6 tender Consent Terms evidencing the settlement arrived at between the parties. The said Consent Terms have been signed on behalf of the Appellants by the authorised signatory Mr. Jaydeep Hemchandra Dandekar and the learned counsel Mr. M.M.Sathaye. The Consent Terms have also been signed by the Respondent Nos.1 to 6, as also by their learned counsel Mr. Pradeep Bhaduri. The learned counsel pray that the above Appeal be disposed

of in terms of the said Consent Terms. The authorised signatory of the Appellants Jaydeep Hemchandra Dandekar is personally present in the Court. On being queried, he state that the said Consent Terms are acceptable to the Appellants and that he has been authorised to sign the said Consent Terms on behalf of the Appellants and he has done so out of his own free will and volition. The Respondents Nihal Singh Kurda Choudhary, his wife Chandro Nihal Singh Choudhary and widow of the deceased Nirmala Surjit Singh Choudhary are also personally present in the Court and on being queried state that the said Consent Terms are acceptable to them and that they have signed them out of their own free will and volition. The learned counsel Shri Pradeep Bhaduri identifies the said Respondents as being parents of the deceased and the widow of the deceased. The Consent Terms are taken on record and marked 'X' for Identification. The amount of Rs.25,000/- deposited in this Court at the time of filing of the above First Appeal be transmitted to the MACT, Thane to be deposited in the account of Motor Accident Claims Petition No.91 of 2010 forthwith.

3 The above First Appeal is disposed of in terms of the said Consent Terms. Decree be drawn up accordingly.

4 As the First Appeal itself is disposed of, nothing survives in the Civil Application No.507 of 2015 and the same to, accordingly stand, disposed of as such.

(R.M.SAVANT, J)