

DDR

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 959 OF 2016**

The Oriental Insurance Co. Ltd.	..Appellant (Org. Opponent No.2)
Vs.	
Smt. Pramila Praful Wadkar & Ors.	.. Respondents (Resp.No.1 to 6 Org.Applnt & Resp.No.7 Org.Opp.No.1)

Mr. Sandeep S. Jinsiwale, Advocate for the appellant.

Mr. T.J. Mendon, Advocate for the respondent Nos. 1 to 4.

**CORAM : M.S.KARNIK, J.
S.S. DESHMUKH (Retired DJ) &
A.N. MARE (Registrar)**

DATE : 9th DECEMBER, 2017.

P.C. :-

Both sides present. Advocate for the appellant submitted an application for bringing on record the legal representatives of respondent No.5 is pending. As parties are arriving at amicable settlement, civil application is allowed with consent. The legal representatives of respondent No.5 be

brought on record. The amendment be carried out forthwith.

2. The parties contended that they have signed the consent terms. The consent terms are taken on record and marked as Exh.X-1 for identification. Power of Attorney of respondent No.6 in favour of the respondent No.1 is placed on record and it is marked as Exh.X-2 for identification. The parties admit to have settled the claim for Rs.24,00,000/- (Rupees twenty four lacs only) towards full and final settlement of the claim. Said amount is to be paid within two months from today. It is submitted that already the said amount is deposited. Accordingly the award stands modified for sum of Rs.24,00,000/- only. The respondents are entitled to withdraw the said amount. The appellant is entitled to withdraw balance amount along with accrued interest. The respondents are entitled to withdraw proportionate accrued interest on Rs.24 lacs. The appellant is entitled to withdraw the balance amount. Statutory deposit be transferred to the Tribunal which the appellant is entitled to withdraw.

3. The appeal stands disposed of in terms of consent terms Exh.X-1. The Court fee be refunded as per rules.

(A.N. MARE)

(S.S. DESHMUKH)

(M.S.KARNIK,J.)