

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL (ST) NO.19670 OF 2016
WITH
CIVIL APPLICATION NO.202 OF 2017
WITH
CIVIL APPLICATION NO.203 OF 2017

Brihan Mumbai Mahanagar Palika	...Appellant
<i>Versus</i>	
Mufaddal Hatim Miyajiwal	...Respondent

Mr Kavita Anchan, *for the Appellant/BMC.*
Mr Jitendra Sadke, *Asst Administrative Officer of BEST*
Undertaking.
Mr Sanjay P Kolekar, *for the Respondent.*
Mr Mufaddal Hatim Miyajiwal, *Respondent present.*

CORAM: G.S. PATEL, J
DATED: 13th June 2017

PC:-

1. This First Appeal was directed to be settled at the previous Lok Adalat held on 8th April 2017. At that time, the parties requested that the matter be placed before the Court for filing Consent Terms. Accordingly it is listed today.

2. Consent Terms between the parties are tendered. The dispute is settled in the amount of Rs. 12,65,000/-.

3. The Consent Terms are in order. They are not contrary to law and they have been drawn by the parties of their own volition in reflection of their true intentions.
4. The Consent Terms are taken on record and marked 'X' for identification with today's date. The undertakings in the Consent Terms are accepted as an undertakings to the Court.
5. The First Appeal is disposed of in accordance with the Consent Terms. The Appellant undertakes to deposit the amount agreed with the Motor Accident Claims Tribunal ("MACT"), Mumbai. Clause (1) of the Consent Terms contains the payment details. The Respondent agrees to accept this amount. This is noted in clause (3) of the Consent Terms. The Respondent may withdraw that amount from the MACT, Mumbai. The amount of Rs,25,000/- deposited in this Court will also be transferred to the MACT, Mumbai and the parties are in addition agreed that this amount may also be withdrawn by the Respondent.
6. The First Appeal is disposed of in these terms with no order as to costs. In view of the disposal of the Appeal, the Civil Application does not survive.
7. The Registry will scan the signed Consent Terms and this will be uploaded as the second order in this matter.

(G. S. PATEL, J.)