

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 661 OF 2015

Reliance General Insurance Co Ltd ...Appellants
Versus
Shawood Mohd Khan s/o Muslim Khan & Anr ...Respondents

Ms Deepika Prabala, i/b RES Juris, for the Appellants.
Mr VM Parkar, for the Respondent No. 1.

CORAM: G.S. PATEL, J
DATED: 6th June 2017

PC:-

1. The parties have agreed to settle the dispute. Hence, admit. By consent, taken up forthwith for hearing and final disposal, paper books and R&P being, also by consent, dispensed with.
2. The Appellants have deposited the entire amount with interest, totalling Rs. 9,67,607/- with the Tribunal. The Respondents were given liberty to withdraw 50% of the amount deposited. They withdrew an amount of Rs.4,83,804/-.
3. Today, by consent, the dispute is settled at Rs.6,91,310/- inclusive of all interest. The Appellant agrees to pay this amount to the Respondents and the Respondents agreed to accept this in full and final satisfaction of their claim.

4. Hence, the Respondents will be entitled to withdraw an amount of Rs.2,07,506/- (Rs. 6,91,310/- less Rs. 4,83,804/-) from the amount deposited. On behalf of the Respondents it is submitted that there may be a delay in making the withdrawal. If there is a delay, the *pro rata* interest on the amount of Rs.2,07,506/- will also be allowed to the Respondents.

5. The Appellants will be at liberty to withdraw the remaining amount from the amount deposited with pro-rata interest.

6. Decree to be marked satisfied as aforesaid. The First Appeal is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J.)