

DDR

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2173 OF 2017
IN
FIRST APPEAL (ST) NO. 30838 OF 2016**

The New India Assurance Co. Ltd.	..Applicant (Org.Opp.No.2)
Vs.	
Shri Maruti Bandu Yadav & Anr.	..Respondents

**WITH
CIVIL APPLICATION NO.2174 OF 2017
IN
FIRST APPEAL (ST) NO. 30838 OF 2016**

The New India Assurance Co. Ltd.	..Applicant (Org.Opp.No.2)
Vs.	
Shri Maruti Bandu Yadav & Anr.	..Respondents

Mr. D.R. Mahadik, Advocate for applicant.

Mr. Sameer D. Chavan, Advocate for respondent No.1.

CORAM : M.S.KARNIK, J.

**S.S. DESHMUKH (Retired DJ) &
A.N. MARE (Registrar)**

DATE : 9th DECEMBER, 2017.

P.C. :-

Not on board. Taken on board.

2. There is delay in presentation of First Appeal. It is condoned with consent. The Advocate for the appellant and respondent No.1 are present. The appellant submits that appeal against respondent No.2 is being withdrawn. Appellant is allowed to withdraw appeal against respondent No.2. Consent terms are filed by the appellant and respondent No.1. Those are taken on record and marked as Exh.X for identification. The parties have agreed to settle dispute for lump-sum of Rs.12,08,760/- inclusive of No Fault Liability amount as towards full and final settlement of judgment and Award passed by the Tribunal in Application No.802 of 2009. The award of the Tribunal stands modified accordingly. The amount, as stated by the parties, is already deposited which respondent No.1 is entitled to withdraw. The balance amount, if any, be refunded to the appellant. Statutory deposit of Rs.25,000/- be transferred to the Tribunal which appellant is entitled to withdraw. Court fee

be refunded as per rules.

3. The appeal stands disposed of accordingly in terms of the consent terms along with applications for stay and condonation of delay.

(A.N. MARE)

(S.S. DESHMUKH)

(M.S.KARNIK,J.)