

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

927 REVIEW APPLICATION STAMP NO. 2424 OF 2018

SARPANCH, GRAM PANCHAYAT, VALAN, TAL- RAHURI AND ORS
VERSUS
ASHA PRALHAD KARLE AND OTHERS

...
Advocate for Applicants : Mr. Shelke Shivaji T.
Advocate for Respondents : Mr. V. V. Tarde
...

CORAM : V. K. JADHAV, J.
DATED : 16th October, 2018

PER COURT:-

1. Learned counsel for the petitioners submits that the petitioners have deposited entire principal amount of Rs.1,91,760/-. Initially, the petitioners were ready to deposit Rs.50,000/- towards full and final settlement as far as the interest part is concerned. However, the respondent/original claimants shown their readiness and willingness to accept an amount of Rs.1,00,000/- in total towards final settlement as far as interest part is concerned and further, they have shown their willingness to waive the remaining amount of interest in addition to Rs.1,00,000/-.

2. Learned counsel for the petitioners submits that the petitioners have accepted the said proposal and are ready to deposit an amount of Rs.1,00,000/- in total towards final

settlement as far as interest part is concerned. Learned counsel appearing for the petitioners has come with a cheque and submits that the same would be deposited in this Court during the course of the day or tomorrow.

3. Learned counsel for the respondents-original claimants, on instructions, submits that respondents-original claimants are ready to accept the said amount of Rs.1,00,000/- towards full and final settlement as far as the interest part is concerned and they are also ready to waive the remaining amount of interest in addition to Rs.1,00,000/- as stated above.

4. The petitioners have already deposited entire principal amount of Rs.1,91,760/- and out of that the respondents-original claimants have withdrawn Rs.1,00,000/-. So far as the interest part is concerned, as per the order passed by this Court dated 02.05.2016 in First Appeal No. 1539 of 2014, the petitioners herein are directed to pay a compensation of Rs.1,91,760/- jointly and severally to the respondents-original claimants with interest @ 12% p.a. from 17.03.2009 i.e. one month from the date of accident till realization of the entire amount. At present, the respondents-original claimants have accepted the amount of Rs.1,00,000/- in total towards the full and final settlement as far as the interest part is concerned. In

view of the same, nothing remains to be adjudicated upon in the present Review Application. The Review Application is accordingly disposed of.

5. Office to accept the amount of Rs.1,00,000/- (Rupees one lakh) by cheque, if deposited by learned counsel for the petitioners.

6. Since, the Review Application is disposed of in terms of the settlement arrived at between the parties, the respondents-original claimants are permitted to withdraw the amount deposited before this Court along with accrued interest, if any.

(V. K. JADHAV, J.)

Sameer//