

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

FIRST APPEAL NO. 2736 OF 2013

M/s National Insurance Co. Ltd.
Through its Divisional Manager.

Appellant.

Versus

1. Keshav Rangnath Tupe
2. Shankar Bhairavnath Chalak.

Respondents.

Mr. V.N. Upadhye, Advocate for the appellant.

Mr. R.B. Dhakne, Advocate for respondent No.1.

Appeal is dismissed against respondent No.2.

CORAM : **SUNIL K. KOTWAL,J.**

Dated : **12th September 2018.**

FINAL ORDER :-

1. Representative of Appellant – Insurance Company and respondent No.1 / original claimant namely Keshav Rangnath Tupe are present in the Court. They have placed on record a Compromise Purshis. It is marked as 'X' for identification.

2. Heard learned Counsel for both the parties.

3. The appellant – Insurance Company shall pay an amount of Rs. 5,00,000/- (Rupees Five Lakh), including the withdrawn amount, to respondent No.1 with interest from 04.12.2013. The balance amount be refunded to the appellant – Insurance Company with interest thereon from 04.12.2013.

4. The impugned award be modified accordingly.

5. First Appeal is disposed of in above-said terms. No order as to costs. Pending Civil Application is also disposed of accordingly.

(SUNIL K. KOTWAL)
JUDGE

vdd/