

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST) NO.12176 OF 2018
WITH
CIVIL APPLICATION NO.1727 OF 2018

New India Insurance Company Ltd. ... Appellant.
V/s.
Kaushilya Devi Kunjlal Mahto & Ors. ... Respondents.

Mr. H.G.Misar, Advocate for the Appellant.
Mr. K.K.Mishra, Advocate for the Respondent Nos.1 to 4.

CORAM : **S.K.SHINDE J**
(HEAD OF THE PANEL).
S.R. SALKUTE, OFFICER ON SPECIAL
DUTY, MEMBER AND
A.M.CHANDEKAR, PROTHONOTARY &
SENIOR MASTER, MEMBER.

DATED : 22nd APRIL 2018.

P.C. :

NOT ON BOARD. TAKEN ON BOARD.

1] The learned counsel for the Appellant undertakes to remove all office objections including deficit Court-fees within three weeks from today.

2] This appeal is preferred by the New India Insurance Company Limited against the judgment and award dated 7.9.2017 passed by the M.A.C.T., Kalyan in M.A.C.T. Application No.196 of 2013.

3] Parties to the Appeal have settled the claim and arrived at Consent Terms dated 22.4.2018. Consent Terms are signed by the learned counsel for the Appellant and the learned counsel for the Respondent Nos.1 to 4. Respondent No.5 is owner of the vehicle and impleaded as proper party. Consent Terms are also signed by the Respondent Nos.1 and accepted by Respondent Nos.2 and 3 by putting their thumb impressions. Respondent No.4 is minor daughter of the Respondent No.1. Respondent No.1 has admitted Consent Terms for herself and on behalf of her minor daughter, Respondent No.4. Consent Terms were read over to the Respondent Nos.1 to 3 in Hindi. They understood and admitted the contents thereof. Consent Terms are taken on record and marked '**X**' for **Identification**. Respondents are identified by their Adhar Cards. Copies of the Adhar Cards of the Respondent Nos.1 to 3 are taken on record and marked Exhibit '**A**' **Collectively for Identification**.

4] The Appellant has deposited decretal amount with interest in the Tribunal. Parties to Appeal are directed to make appropriate application before the Tribunal for apportionment of the said amount,

5] That office shall draw the award only after deficit Court fee is paid.

6] That in view of disposal of the appeal itself, civil application therein does not survive and the same also stands disposed of.

(S.K.SHINDE, J)
HEAD OF THE PANEL

(S.R.SALKUTE)
MEMBER

(A.M.CHANDEKAR)
MEMBER