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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO.305 OF 2018

Oriental Insurance Co. Ltd. ... Appellant.
V/s.
Survarna Vaibhav Salunke
and ors ... Respondents

Mr.Ashwani Kumar Sharma, for the appellant
Mr. P. J. Thorat, for respondent Nos. 1 to 6.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 8st OCTOBER, 2018.

P.C. :

1] Respondent No.1-claimant for herself and for respondent Nos. 2 & 3 minors is present before the Court alongwith respondent Nos.4 and 5 the parents of the deceased.

2] Respondent Nos. 6 and 7 are the vehicle owners and their presence is dispensed with considering that the matter is amicably settled between the appellant insurance company and respondent claimants.

3] The consent terms filed by them is taken on record. They are marked as "X" for identification. Respondent No.1, 4 and 5, who are present before the Court, admit the contents thereof and that they have signed the same.

4] As per consent terms the claimants are permitted to withdraw an amount of Rs.27,97,446/- with accrued interest thereon; whereas the balance amount of Rs.4,14,477/- with accrued interest thereon be refunded to the appellant insurance company.

5] In view thereof, Appeal stands disposed off.

6] The decree be drawn in terms of Consent Terms.

7] Issue Court fee refund certificate as per rules.

[DR.SHALINI PHANSALKAR-JOSHI, J.]