

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

**FIRST APPEAL (ST.) NO. 36264 OF 2017
WITH
CIVIL APPLICATION NO. 136 OF 2018
IN
FIRST APPEAL (ST.) NO. 36264 OF 2017**

National Insurance Company Limited	.. Appellant
Vs.	
Mr.Santosh Datta Salkar & Ors.	.. Respondents

**WITH
CIVIL APPLICATION (ST.) NO. 5140 OF 2018
IN
FIRST APPEAL (ST.) NO. 36264 OF 2017**

National Insurance Company Limited	.. Applicant
Vs.	
National Insurance Company Limited	.. Respondent

Mr.Amol Gatne, Advocate for applicant in CAF/136/2018.

Mr.Sainand V. Chaugule, Advocate for respondent Nos.1 and 2 in CAF/136/2018 and for applicant in CAFST/5140/2018.

**CORAM : A.S. CHANDURKAR, J.
DATE : 11TH DECEMBER 2018**

P.C.

1 Not on board. Taken up on production.

2 During pendency of the proceedings, parties have agreed to settle the matter and have entered into consent terms dated 11th December 2018. As per the said consent terms, the appellant has agreed to pay an amount of Rs.12,30,000/- with interest @ 9% per annum as granted by the Claims Tribunal. The consent terms are signed by the parties and their respective

Advocates. The signatories to the consent terms are present in Court and are identified by their respective counsel. The terms agreed are reasonable and are thus accepted. The consent terms are taken on record and marked 'X' for identification. Parties shall act in accordance with the consent terms. The award passed by the Claims Tribunal impugned in this appeal is modified and stands substituted as per the consent terms.

3 The First Appeal is disposed of as per consent terms dated 11th December 2018. Pending civil applications are also disposed of.

4 The appellant would be entitled to withdraw the balance amount of compensation lying in deposit. The appellant is also entitled to refund of Court fees in accordance with Rules.

6 All concerned parties to act on authenticated copy of this order.

(A.S. CHANDURKAR, J.)