

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPLICATION NO. 1480 OF 2018
IN
FIRST APPEAL (ST) NO. 36334 OF 2017

The Oriental Insurance Co.
Ltd., MumbaiApplicant
V/s.
Javed Sultan Shaikh and Ors.Respondents

* * * *

Mr. D.S. Joshi, Advocate for the applicant.
Mr. T.J. Mendon, Advocate for respondent no.1.

CORAM : SANDEEP K. SHINDE, J &

SHRI. S.R. KHANZODE, &
(Retired District and Sessions Judge)

SHRI. S.T. KAPSE,
(Addl. Registrar (O.S.) & Addl.
Prothonotary & Senior Master.)

Saturday, 8th December, 2018.

P.C. :

1. Perused the order dated 17th October, 2018 passed in the Civil Application. That for the reasons recorded in the Civil Application, the delay is condoned. The Civil Application is disposed off.

(SANDEEP K. SHINDE, J)

(SHRI. S.R. KHANZODE)

(SHRI. S.T. KAPSE)

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

FIRST APPEAL (ST) NO. 36334 OF 2017
ALONGWITH
CIVIL APPLICATION NO. 1481 OF 2018

The Oriental Insurance Co.
Ltd., Mumbai

....Appellant

V/s.

Javed Sultan Shaikh and Ors.

....Respondents

* * * *

Mr. D.S. Joshi, Advocate for the appellant.

Mr. T.J. Mendon, Advocate for respondent no.1.

CORAM : SANDEEP K. SHINDE, J &

SHRI. S.R. KHANZODE, &
(Retired District and Sessions Judge)

SHRI. S.T. KAPSE,
(Addl. Registrar (O.S.) & Addl.
Prothonotary & Senior Master.)

Saturday, 8th December, 2018.

P.C. :

1. Not on board. Upon mentioning, taken on production board.

2. Oriental Insurance Company Limited has preferred this Appeal against the judgment and Award dated 24th April, 2017 passed by the Motor Accidents Claim Tribunal, Mumbai in M.A.C.P. No. 667 of 2008. Pending claim, the mother of the

deceased died. Respondent no.1, father of the deceased is present. The parties to the Appeal have settled the claim and arrived at consent terms which was executed on 8th December, 2018. The same is taken on record and marked "X-1" for identification. Respondent no.1 admits the terms of the consent terms. Respondent no.1 is identified by his Aadhar Card, the copy of which is taken on record. Mr. Mendon, undertakes to file his Vakalatnama on behalf of respondent no.1 within one week.

2. In view of the consent terms, the Appeal is disposed of. The appellants are entitled for refund of Rs.25,000/-. Refund of court-fees as per rules. Award be drawn accordingly.

3. With the disposal of the Appeal, Civil Application No. 1481 of 2018 taken out for stay of execution of the Award becomes infructuous and does not survive. The same is disposed of.

(SANDEEP K. SHINDE, J)

(SHRI. S.R. KHANZODE)

(SHRI. S.T. KAPSE)