

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE V. K. JADHAV,
HELD ON 13TH JULY, 2019,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD**

81 FIRST APPEAL NO.1975 OF 2019
WITH CA/2590/2017 IN FA/1975/2019

SHAMSUNDAR JAGANNATH MORE AND ANR
VERSUS
RAJENDRA (RAJU) BABURAO TALEKAR AND ANR

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Advocate for Appellants : Mr. Agrawal Sumit S.
Advocate for Respondents-claimant No.1 : Mr. Rajendra N. Chavan
Advocate for Respondent No.2 : Mr. V.N. Upadhye

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(01)
O R D E R

1. This is an appeal preferred by the original owner against the judgment and award passed by the Motor Accident Claims Tribunal, Jalna. The matter is settled between the parties amicably and the terms of compromise are placed before this panel by Mr. S.S. Agrawaal, learned counsel for the appellant, Mr. V.N. Upadhye, learned counsel for the insurer and Mr. R.N. Chavan, learned counsel for the respondent No.1-claimant.

2. Mr. Dharendra Kumar Mishra, Assistant Manager of National Insurance Company Limited, Divisional Office, Aurangabad is present in person. Learned counsel appearing for the respondent-insurer, on instructions from Mr. Mishra, the Assistant Manager, National Insurance Company, Divisional Office, Aurangabad submits that the respondent National Insurance Company accepts the liability as per the claim and terms of the compromise are accordingly presented before the panel. The

appellant Shamsundar Jagannath More is present in person. He is duly identified by his counsel Mr. S.S. Agarwal. The parties admit the contents of the compromise and their signatures/thumb impressions on it. Thus, the terms of compromise stands verified. The said compromise is taken on record and marked "X" for identification.

3. The award/decree be drawn up in terms of the compromise placed on record, as aforesaid. In terms of the compromise arrived at between the parties, the first appeal is disposed of. Refund of court fees as per Rules. The parties to bear their own costs. In terms of the compromise, the statutory deposit of Rs.25,000/- as deposited by the appellant-original owner shall be refunded to him.

4. The pending Civil Applications, if any, are also disposed of.

5. In view of disposal of appeal, if the amount under award is deposited, the claimants are permitted to withdraw the said amount, if deposited before the Tribunal as agreed between parties. The statutory amount alongwith the accrued interest, if any, shall be refunded to the appellant original owner.

(K.C.Sant)
Advocate
Member

(V.B. Mantri)
D.J.(Retd.)
Member

(V. K. Jadhav, J.)
Head of the Panel

Date: 13.07.2019
Place: Aurangabad

rlj/