

IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE S. M. GAVHANE,
HELD ON 14.12.2019,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD

2 FIRST APPEAL NO.68 OF 2016

IFFCO TOKYO GENERAL INSURANCE CO. LTD.
VERSUS
SEEMA SK. ABDUL RAHIM AND OTHERS

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Mr. S. G. Chapalgaonkar, Advocate for the appellant
Mr.P. C. Mayure, Advocate for respondent

O R D E R
(14th December, 2019)

. Appellant insurance company has filed this first appeal aggrieved by the award in MACP No. 301 of 2014 passed by MACT, Aurangabad on 18-09-2015. Learned counsel for the appellant insurance company has filed on record letter dated 12-12-2019 authorizing him to settle the matter on behalf of the appellant insurance company. Said letter is taken on record and marked as "X" for identification.

2. Respondent Nos. 1, 4 and 5 are present. Respondent Nos. 2 and 3 are minors, through their mother guardian respondent No. 1, are present. Respondents /claimants who are present have been

duly identified by their learned counsel. Respondent No. 1 has filed affidavit alongwith certificate of Advocate stating that compromise is in the interest of minors. Said affidavit with certificate is taken on record.

3. Appellant and respondents/claimants have filed terms of compromise which is taken on record and marked as "Y" for identification. Total amount of compensation deposited in this court is Rs. 28,96,614/-. Claimants were permitted to withdraw 50% of the said amount. As per this terms, respondents/claimants shall be entitled to receive amount of Rs. 22,00,000/- lump sum towards full and final settlement including the amount already withdrawn by them. Parties have also agreed that remaining amount alongwith accrued interest shall be refunded to appellant insurance company. Similarly, claimants shall be entitled for interest accrued on amount deposited remained to be withdrawn by them as per the settlement. Respondent Nos. 1 to 5 have agreed the terms of compromise.

4. In view of above, award be prepared accordingly in terms of compromise as aforesaid.

5. Distribution of amount which will be payable and to be withdrawn by the claimants on the basis of this award shall be in the proportion as per award passed by the tribunal.

6. Court fee refund, if any be refunded to the appellant.

7. In view of the settlement in the matter, civil application/s, if any, stand/s disposed of.

[Smt.S.G. Chincholkar]	[V. B. Mantri]	[S. M. Gavhane, J.]
Advocate	DJ (Retd.)	Head of Panel
Member	Member	