

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

First Appeal No. 02818 of 2019

District : Jalna

Cholamandalam General
Insurance Co. Ltd.,
Shop No.4, Plot No.33,
Rokdiya Hanuman Colony,
Opp. LMS Jeweller,
Jalna Road, Aurangabad,
Through its Legal Manager.

.. Appellant
(Original
respondent
no.03)

versus

1. Smt. Radhabai W/o. Krushna
Sable,
Age : 43 years,
Occupation : Household.
2. Shivaji s/o. Krushna Sable,
Age : 22 years,
Occupation : Labour.
3. Kailas s/o. Krushna Sable,
Age : 19 years,
Occupation : Education.
4. Smt. Salubai w/o. Patilba
Sable,
Age : 68 years,
Occupation : Household.

.. Respondents
(Nos.01 to 04 -
Original
claimants
&
Nos.05 & 06 -
Original
respondents
no.01 & 02)

All R/o. Barjala Sable,
Taluka Bhokardan,
Dist. Jalna.

5. Sambhaji s/o. Hasrat Patil,
Age : Major,
Occupation : Business,
R/o. Post Bamrud, Raniche,
Taluka Pachora,
Dist. Jalgaon.

6. Chhotu s/o. Rajaram Badjugar,
Age : 25 years,
Occupation : Driver,
R/o. Post Bamrud, Raniche,
Taluka Pachora, Dist. Jalgaon.

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*Mr. Abhijit G. Choudhari, Advocate, for the
appellant.*

*Mr. Jiwan J. Patil, Advocate, for respondents
no.01 to 04.*

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 14TH AUGUST 2019

ORAL ORDER :

01. Parties to the appeal have arrived at compromise. Said compromise terms are marked as Exhibit "X" which has been duly verified through learned Registrar [Judicial]. The compromise is between the appellant and respondents no.01 to 04 - original claimants.

02. In view of the said compromise, the appeal stands disposed of in terms of consent terms Exhibit "X". The judgment and award dated 29-06-2018 passed by the learned Member of Motor Accident Claims Tribunal, Jalna, in M.A.C.P. No. 151 of 2015, stands set aside and modified to the extent of the terms in the compromise Pursis Exhibit "X". Respondents no.01

to 04 are entitled to withdraw the amount as per the consent terms. So also, refund of the excess amount deposited by the appellant, shall be as per clause 05 of the terms and refund of court-fee as per rules.

(Smt. Vibha Kankanwadi)
JUDGE

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