

IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE P.R.BORA,
HELD ON 17th MARCH, 2019 AT
HIGH COURT LEGAL SERVICES SUB-COMMITTEE, AURANGABAD

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FIRST APPEAL No.741 OF 2006

NEW INDIA ASSURANCE COMPANY LIMITED, BEED
VERSUS
VEKKAPPA S/O YELLAPPA ITKAR AND OTHERS

...

Advocate for Appellant : Shri M.M.Ambhore h/f.
Shri M.R.Deshmukh

Advocate for Respondent No.2 : Shri S.S.Dargad

...

ORDER

- 1) Not on board. Taken on board.
- 2) Shri Sanket M.Bhimgade, Administrative Officer, New India Assurance Company as well as one of the claimants are present before the Panel accompanied by their respective Counsel.
- 3) The claim petition was filed by the parents of the deceased. During pendency of the present appeal, the father of the deceased has died and the mother is only prosecuting the matter further. She is present before the Panel.

4) The parties have entered into a settlement. The terms of settlement are presented before the Panel and the request is made to record the compromise accordingly.

5) The Motor Accident Claims Tribunal, Ambajogai, has passed the award for the amount of Rs.2,65,000/-. Now, it is amicably decided amongst the parties that the claim petition has to be settled for the amount of Rs.2,60,000/- with interest thereon.

6) It is further informed that the Insurance Company has deposited the entire amount of the compensation. Initially, it was deposited in this Court and subsequently, it has been transmitted to the Motor Accident Claims Tribunal, Ambajogai. It is further informed that out of the said amount, 50% amount has already been permitted to be withdrawn by the claimants.

7) In view of the settlement arrived at between the parties, now only Rs.5,000/- out of the

deposited amount is to be refunded to the Insurance Company and entire remaining amount is to be withdrawn by the surviving claimant.

8) The compromise is read and recorded.

9) The Motor Accident Claims Tribunal, Ambajogai, shall refund the amount of Rs.5,000/- to the appellant Insurance Company and the entire remaining amount shall be paid to the surviving claimant namely Laxmibai Venkkappa Itkar.

10) Award be prepared accordingly.

11) The appellant is entitled for refund of Court fees in accordance with law.

(K.C.SANT)
Advocate
Member

(A.T.A.K. Shekh)
D.J.(Retd.)
Member

(P.R.BORA, J.)
Head of the Panel

Date: 17.03.2019
Place: Aurangabad