

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

**940 CIVIL APPLICATION NO.11255 OF 2017
IN FAST/25837/2017
WITH CA/2115/2019 IN FAST/25837/2017_**

ICICI LOMBARD GENERAL INSURANCE CO. LTD., THR ITS LEGAL
MANAGER, AURANGABAD

VERSUS

RAMESHWAR BABRUWAN TELANG AND ORS

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Advocate for Applicant : Shri Abhijit G. Choudhari
Advocate for Respondent No.1 : Shri Shrikant B. Madde
Advocate for Respondent Nos.2 to 5 : Shri S.D.Munde

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CORAM : P.R.BORA, J.

DATE: 6th March, 2019

PER COURT:-

1 Delay of 298 days has occurred in filing the appeal by the appellant Insurance Company.

2 The respondents do not have any objection for condoning the delay since the matter has been amicably settled between the Insurance Company and the original claimant. Hence, the application for condonation of delay is allowed. Delay caused in filing the appeal is condoned. The appeal be registered in accordance with law. After registration of appeal, issue notice to the respondent No.1. Shri S.B.Madde, learned Counsel waives service of notice for respondent No.1. Service to other respondents is exempted. Service complete.

3 The appellant Insurance Company and respondent No.1 - claimant have entered into the compromise and the terms of compromise are placed on record.

4 The consent terms are signed by the Legal Manager of the appellant Insurance Company and respondent No.1 - claimant. The learned Counsel for the respective parties have also put their signatures below the compromise purshis. The terms of compromise are verified by the Legal Manager of the appellant Insurance Company namely Shri Ravi Dilip Narwade and respondent No.1 - claimant namely Rameshwar Babruwan Telang. I have perused the terms of compromise. The compromise appears to be legal. I, therefore, see no difficulty in accepting the said compromise.

5 The learned Counsel for the parties have prayed for disposing of the appeal in terms of the compromise. Hence, the following order is passed:-

ORDER

I) First Appeal is disposed of in terms of compromise.

- II) The award be prepared accordingly.
- III) The consent terms shall form part of the award.
- IV) As per the terms of the compromise, the withdrawals are permitted by the respective parties.
- V) The appellant Insurance Company is entitled for the refund of Court fees in accordance with law.
- VI) Pending civil applications stand disposed of.

(P.R.BORA)
JUDGE

SPT