

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

922 FIRST APPEAL (STAMP) NO. 37742 OF 2018
WITH CA/487 OF 2019 IN FAST/WITH CA/488/2019 IN FAST/37742/2018

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

VERSUS

RAMABAI BABULAL RAHSE AND ORS

...

Advocate for Applicant : Mr. Choudhari Abhijit G
Advocate for Respondents 1 & 5 to 6: Mr. D. S. Bagul

CORAM : MANGESH S. PATIL, J.

DATE : 05/12/2019

PER COURT :

The original claimants including a minor claimant have entered into a compromise with the appellant/Insurance Company. The compromise is being entered into on behalf of the original claimants and even the minor claimant by his mother. She has filed an affidavit pursuant to the Order 32 Rule 7 of the Code of Civil Procedure which is taken on record and marked 'X' for the purpose of identification. She has specifically asserted as to how the proposed compromise is in the best interest of the minor.

2. The learned advocate has also given a certificate as contemplated under Order 32 Rule 7 of the Code of Civil Procedure certifying the aforementioned aspects.

3. Since it is a matter of motor accident claim compensation, the next friend of the minor being the mother, for the reasons mentioned in the application and the certificate of the learned advocate, in my considered view, the proposed compromise is in the best interest of the minor and leave is granted to the mother to enter into a compromise on behalf of the minor son.

4. The compromise has been duly verified before the Registrar (Judicial). The appeal is disposed of in terms of compromise which is marked as 'X' for the purpose of identification, however the apportionment amongst the claimants shall be in accordance with the award passed by the Tribunal.
5. By way of clarification it is further ordered that an amount of Rs. 2,50,000/- along with accrued interest shall be deposited in the name of minor as a fixed deposit in any Nationalized Bank for a period of five years.
6. All the pending Civil Applications are disposed of. Court fee be refunded as per rule.

(MANGESH S. PATIL, J.)

mkd