

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO. 2677 OF 2019

IN

FIRST APPEAL (ST.) NO. 16608 OF 2019

WITH

FIRST APPEAL (ST.) NO. 16608 OF 2019

Bharti Axa General Insurance Company ...Applicant
Ltd. Through Mr. Kalpesh Mody
Manager Legal

Versus

Mrs. Jetal Sanket Lakhani & Ors. ...Respondents

Mr. Rahul Mehta i/b Mrs. KMC Legal Venture – Advocate for the
applicant/appellant
Ms. Sneha Agrawal a/w Mr. Vishal Agrawal – Advocate for the
respondent nos. 1 to 4.

CORAM : R. D. DHANUKA, J.

DATE : 18th DECEMBER 2019.

P.C. :

1. The learned counsel for the parties tenders consent terms which are signed on 18.12.2019, by the parties and their respective advocates. The power of attorney of the appellant is annexed. Affidavit filed by Shri Vishal Vijay Agrawal dated 18.12.2019, is taken on record. In the said Affidavit he has stated that respondent no. 2 is the minor son of the deceased represented by her Mother and Next Friend, Respondent no. 1.

The statements made in the affidavit are accepted.

2. It is made clear that in so far as share of the respondent no. 2 is concerned, the amount of compensation payable to respondent no. 2 be invested by the M.A.C.T. in fixed deposit of a nationalised bank for the period till the respondent no. 2 attains the age of majority. The respondent no. 1 is allowed to withdraw the interest on the same deposit for the purpose of maintenance of respondent no. 2 till the respondent attains the age of majority. Affidavit is taken on record. The consent terms are also taken on record.

3. The Civil Application No. 2677 of 2019 is disposed of in terms of consent terms. The respondent nos. 1 to 4 are allowed to withdraw the amount of Rs. 55,00,000/-.

4. The office is directed to transmit the statutory amount of Rs. 25,000/- deposited by the applicant to MACT, Mumbai, expeditiously. Upon such transmission of the said amount, the appellant would be at liberty to withdraw the said amount from MACT, Mumbai.

3. All parties as well as the M.A.C.T. to act on the authenticated copy of this order.

4. As per the consent terms filed in the Civil Application No. 2677 of 2019, the First Appeal (ST.) No. 16608 of 2019 stands disposed off. No order as to costs.

[R. D. DHANUKA, J.]