

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE M. G. SEWLIKAR,
HELD ON 08.02.2020,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD**

FIRST APPEAL NO.747 OF 2016

SMT. SARUBAI SHOBHABAI GULABSING VALVI AND OTHERS

VS.

MOHAMMAD HANIF MUSABHAI TIBA AND ANOTHER

...

Shri S. G. Chapalgaonkar, Advocate for Appellants
Shri. A. G. Kanade, Advocate for Respondent No.1

...

**ORDER
(08th February, 2020)**

1. Appellants No.1 to 5 are present. (In the appeal, in respect of appellant No.5, serial number is wrongly mentioned as 6.) They are identified by Shri S. G. Chapalgaonkar, Advocate for Appellants.
2. Respondent No.2 is present through its authorised officer, Shri R. M. Solanke. He is identified by Shri. A. G. Kanade, Advocate for Respondent No.1.
3. Both the parties admit the terms of compromise and their respective signatures. The compromise pursis is produced on record and is marked as Exhibit 'X' for identification.

4. In view of terms of compromise at Exhibit 'X', claim is settled for Rs.12,92,000/- (Rupees Twelve Lakh Ninety Two Thousand Only), out of which Rs.4,92,000/- (Rupees Four Lakh Ninety Two Thousand Only) has already been paid by respondent No.2 insurance company. Respondent No.2, now, do pay Rs.8,00,000/- (Rupees Eight Lakh Only) in full and final settlement of claim inclusive of NFL amount, interest, cost and other incidental expenses. Apportionment of the claim amount amongst the appellants shall be made in equal proportion.

5. The amount to the extent of share of appellant No.3, being minor, be deposited in any nationalized bank of choice of appellant No.1 till appellant No.3 attains age of majority.

6. Surname of appellants No.2 and 3 in Aadhar Card is shown as 'Padvi'. Appellant No.1 has filed affidavit to the effect that surname 'Padvi' has been wrongly mentioned in Aadhar Card of appellants No.2 and 3 and correct surname is 'Valvi'.

7. The amount of Rs.8,00,000/- (Rupees Eight Lakh Only) shall be deposited by respondent No.2 in the Motor Accident Claims Tribunal, Shahada, Dist. Nandurbar within a period of six weeks from the date of receipt of copy of award, failing which it shall carry interest as directed by the M.A.C. Tribunal, Shahada, till realisation

of the entire amount.

8. The first appeal is disposed of. Civil Application, if any, also stands disposed of.

9. Court fees be refunded as per rules.

(Smt. S.G. CHINCHOLKAR,)
 Advocate,
 Member

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

(**M.G. SEWLIKAR, J.**)
 Head of the Panel

SVH