

**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.748 OF 2016

SMT. ROBITABAI SHIVAJI VALAVI AND OTHERS

VS.

MOHAMMAD HANIF MUSABHAI TIBA AND ANOTHER

...

Shri S. G. Chapalgaonkar, Advocate for Appellants

Shri. A. G. Kanade, Advocate for Respondents

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

1. Appellants No.1 to 6 are present. 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 Respondents. As per Aadhar Card, appellant No.2 - Kum. Archana Shivaji Valavi has attained majority during the pendency of the appeal.
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 additional compensation of 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 among appellants shall be made in equal proportion.

5. Appellants No.3 and 4 are minors. Their advocate has placed on record necessary certificate.

6. The amount to the extent of share of appellants No.3 and 4, being minor, be deposited in any nationalized bank of choice of appellant No.1 till appellants No.3 and 4 attain age of majority.

7. The remaining 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