

IN THE NATIONAL LOK ADALAT
PRESIDED OVER BY HON'BLE SHRI JUSTICE SHRIKANT D.
KULKARNI,
HELD ON 12th DECEMBER, 2020
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE,
AT AURANGABAD

17 FIRST APPEAL NO.1440 OF 2017

BHARTI AXA GENERAL INSURANCE COMPANY LTD. ...Appellant
V E R S U S
HANUMAN SAHEBRAO BOTHE AND ORS ...Respondents

...

Mr. R.H. Dahat, learned for the appellant
Mr. Sachin S. Kotkar, learned Advocate for respondents
No.1 and 2

...

O R D E R

1. This Appeal proceeding is placed before us in today's National Lok Adalat.

2. Mr.Dahat, learned Advocate for the appellant/applicant-Insurance Company and Mr.Sachin Kotkar, learned Advocate for respondents No.1 and 2/original claimants have placed consent terms arrived between the parties. Both of them submit that the matter has been amicably settled between the parties. As per the terms of the consent terms, Rs.60,000/-, out of the compensation amount awarded by the Tribunal, now agreed to be given to the appellant-Insurance Company along with accrued interest thereon and original claimants are entitled for remaining amount of compensation along with interest.

3. The original claimants/respondents no.1 and 2 are present before us and they admit the terms of the consent terms. Consent terms are read and recorded and marked as **Article X** for identification.

4. The appeal stands disposed of as withdrawn to the extent of respondent No.3/owner of the vehicle.

5. In view of the consent terms, the appellant – insurance company is entitled to get Rs.60,000/- along with accrued interest thereon.

6. The remaining amount of compensation along with accrued interest shall be paid to respondents No.1 and 2/original claimants.

7. In view of consent terms Article X, the Registry is directed to modify the award passed by the MACT, Ahmednagar. The Registry is also directed to make payment to the appellant and respondents No.1 and 2/original claimants, after modification of award at the earliest.

8. In view of the consent terms Article X, the appeal stands disposed of as withdrawn.

9. The Appeal is disposed of as withdrawn to the extent of respondent No.3.

10. The court fee refund certificate be issued to the appellant/State as per the rules.

11. Pending the civil application/s, if any, is/are disposed of.

12. Parties to bear their own costs.

(S.P. BRAMHE)
ADVOCATE
Member

(S.G. SHETE)
DIST.JUDGE(Retd.)
Member

(SHRIKANT D. KULKARNI)
JUDGE
HEAD OF THE PANEL

Date : 12th December, 2020
Place: Aurangabad

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