

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

204 FIRST APPEAL NO.1842 OF 2013

BHARTI AXA GENERAL INSURANCE COMPANY LTD. ...Appellant
V E R S U S
MEERA SAMADHAN MOGALAND OTHERS ...Respondents

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Mr. R.H. Dahat, learned for the appellant
Mr. C.V. Bodkhe, holding for Mr. R.V. Gore, learned
Advocate for respondents No.1 and 2
Mr. E.V. Shinde, holding for Mr. R.M. Gaikwad, learned
Advocate for respondents No.6 & 7

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O R D E R

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

2. Mr. R.H.Dahat, learned Advocate for the appellant-applicant Insurance Company has placed on record consent terms, stating that this claim has been amicably settled between the parties. Mr.Bodkhe, holding for Mr.Gore, learned advocate for respondents No.1 and 2 and Mr.Shinde, holding for Mr.Gaikwad, learned Advocate for respondents No.6 and 7 are also present and both of them submit that the matter has been amicably settled as per consent terms. The original claimants-respondents No.1 and 2 and (original respondents No.5 and 6) respondents No.6

and 7 are also present before the Panel and they admit consent terms. The consent terms are taken on record and marked as **Article X** for identification.

3. Respondent No.2 is a minor, son of the deceased and on his behalf, claimant/his mother has sworn the affidavit in view of Order XXXII Rule 7(1) of the Code of Civil Procedure. The said affidavit is taken on record and marked as **Article Y** for identification coupled with the certificate, issued by the learned Advocate, Mr. R.V. Gore also taken on record and marked as **Article Z**.

4. The appeal stands disposed of in view of the consent terms Article X.

5. The award passed by the MACT, Jalna in MACP No.28/2011 stands modified in view of the consent terms marked as Article X.

6. The Registry shall modify the award in view of consent terms Article X.

7. As per the consent terms Article X, the appellant shall be entitled to receive an amount of Rs.75,000/- out of the amount deposited in this Court and remaining amount shall be disbursed to the original claimants/respondents No.1, 2, 6 and 7 along with accrued

interest.

8. The appeal is withdrawn to the extent of respondents No.3, 4 and 5.

9. The court fee refund certificate be issued to the appellant as per the rules.

10. In view of the consent terms Article X, the appeal stands disposed of.

11. Parties to be 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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