

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

36 FIRST APPEAL NO. 1634 OF 2020

CHOLAMANDALAM GENERAL INSURANCE CO. LTD., THR
ITS BRANCH MANAGER, AURANGABAD

VERSUS

SUNIL MANOHAR PARLALKAR AND ANOTHER

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Advocate for Appellant : Mr. Chapalgaonkar S.G.
Advocate for Respondents : Mr. Kolpe Mahendra B.

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CORAM : V. K. JADHAV, J.
DATED : 23TH OCTOBER, 2020

PER COURT :-

1. Learned counsel for the appellant-insurer submits that the matter has been amicably settled for Rs.5,00,000/- between the parties towards full and final settlement before the executing Court. The appellant-insurer has however deposited Rs.6,04,690/- before this Court. Learned counsel for the appellant-insurer submits that the respondents-claimants have already withdrawn Rs.25,000/- under NFL award and as such, the respondents-claimants are entitled for an amount of Rs.4,75,000/- only. In view of the same, learned counsel submits that the said amount of Rs.4,75,000/- may be transferred to the account of the
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executing court and so far as the remaining amount lying with this Court is concerned, necessary orders may be passed permitting the appellant-insurer to withdraw the same.

2. Learned counsel for the respondents-claimants has no objection for the same.

3. In view of the same, the amount of Rs.4,75,000/- (Rupees four lakh seventy five thousand) shall be transferred to the M.AC.T, Ambajogai and the same shall be paid to the respondents-claimants in terms of the settlement arrived at between the parties. The remaining amount lying with this Court shall be paid to the appellant-insurer along with the accrued interest, if any.

4. The First Appeal is disposed off in terms of the pursis filed by the learned counsel for the appellant-insurer. No costs.

(V. K. JADHAV, J.)

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