HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Misc. Appeal No. 1129/2016

Cholamandalam Ms General Insurance Company Ltd., Branch Office - Udaipur. Jodhpur Office -K.P.Tower, Chopasani Road, Jodhpur through its Authorized Representative.

----Appellant

Versus

1. Harish S/o Shri Kadua Masar,
2. Smt. Sadan Devi W/o Sh. Harish Masar,
3. Smt. Badi W/o Late Sh. Kadua Masar,
4. Smt. Sunita W/o Late Sh. Ramanlal Masar,
5. Miss Maya D/o Late Sh. Ramanlal Masar (Minor), through her natural guardian mother Smt. Sunita W/o Late Shri Ramanlal Masar,

All by caste Meena, residents of Kuhadiya Padaliya, Village Kumharwada, Tehsil Kherwada, District Udaipur.

----- Claimants

6. VeniRam S/o Shri Kanhiyalal Kumawat, resident of Village Bhana, Tehsil & District Rajsamand (Driver).
7. Smt. Hiraben Jain W/o Shri Manak Chandra Dind-Jain, resident of 181, Sundar Colony, Kankroli, Rajsamand (Owner).
8. Kanhaiyalal S/o Shri Rooplal Kumawat, resident of Bhana, Tehsil & District Rajsamand (GPA Holder).

----Non-Applicants No.1 to 3.

For Appellant(s) : Mr. Jagdish Vyas (through VC)
For Respondent(s) : Mr. R.S. Mankad (through VC)

HON'BLE MR. JUSTICE ARUN BHANSALI

Judgment

15/12/2020

It is submitted by learned counsel for the parties that they have entered into a memorandum of settlement pertaining to the present appeal, whereby besides the amount already paid to the claimants in terms of the interim order, the appellant-Insurance

Company shall pay a further lump-sum of Rs.4,15,000/- towards the full and final settlement of the claimants and rest of the amount payable in terms of the award has been relinquished by the claimants.

The amount shall be deposited by the appellant-Insurance Company within a period of two months from the date of this order.

In view of the above settlement arrived at between the parties, copy whereof has been produced for perusal of the Court, which is taken on record, the appeal filed by the appellant-Insurance Company is disposed of. The award dated 25.01.2016 passed by the Motor Accident Claims Tribunal No.1, Udaipur shall stand modified accordingly.

(ARUN BHANSALI),J

97-Rmathur/-

RAJASTHAN HIGH COURT
सत्यमेव जयते