

**IN THE LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE S. G. MEHARE,
HELD ON 01.08.2021
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD**

907 FIRST APPEAL NO.2118 OF 2016

ICICI LOMBARD GENERAL INSURANCE COMPANY LTD BOMBAY
THROUGH LEGAL OFFICER
VERSUS
YAMUNABAI UTTAMRAO TEKALE AND ORS

...
Advocate for Appellant : Mr. Rohit Dahat.
Advocate for Respondent Nos.1 to 3 : Mr. A. M. Mamidwar.
...

ORDER

1. This appeal is placed before us in today's Lok-Adalat.
2. Mr. Dahat, the learned counsel for the appellant - insurance Company is present. Mr. Mamidwar, the learned counsel for respondent Nos.1 to 3-original claimants is also present. None present for respondent Nos.4 and 5.
3. The learned counsel for the appellant submits that the appellant has accepted the award passed by the learned M.A.C.T., Aurangabad., in M.A.C.P. No.183 of 2009, dated 15.01.2011. The learned counsel for the appellant submits that the parties to the appeal have settled their dispute amicably in terms of the compromise deed, placed on record. It is marked as 'X' for identification. The learned counsel for respondent Nos.1 to 3 also

agreed and accept the terms of settlement. The learned counsel for the appellant submits that he does not want to proceed with the appeal against respondent Nos.4 and 5, as they are formal parties.

4. The record reveals that respondent Nos.1 to 3 are the original claimants. The learned counsel for the appellant made a statement that respondent Nos.4 and 5 are formal parties. Both the parties agreed to dispose of the appeal in terms of the compromise deed between them. Accordingly, we pass the following order :

ORDER

- (i) The appeal is disposed of in terms of the compromise deed filed and marked as 'X'.
- (ii) Award be drawn up in terms of the compromise pursis.
- (iii) The parties agreed to settle the dispute finally at Rs.7,00,000/-, out of these Rs.50,000/- is already paid to respondent Nos.1 to 3 towards NFL claim and the amount of Rs.25,000/- deposited by the appellant with this Court.
- (iv) The appellant to deposit the balance amount of Rs.6,25,000/- with learned Member M.A.C.T., Aurangabad to be paid to respondent No.1 with the consent of respondent - original claimant Nos.2 and 3.
- (v) The amount deposited by the appellant with the

learned Member M.A.C.T, Aurangabad, is allowed to be withdrawn by respondent No.1-original claimant.

(vi) The compromise in terms of the compromise deed - Exh.X is accepted.

5. In terms of the compromise deed 'X', the appeal stands disposed of.

6. The Court fee refund certificate be issued as per the provisions under the Maharashtra Court Fees Act, 1959.

7. Civil Application, if any, stands disposed of.

(S.P.Brahme)
Advocate
Member

(S.G.Shete)
District Judge (Retd.)
Member

(S.G.Mehare, J.)
Judge
Head of the Panel

Date: 01.08.2021
Place: Aurangabad

vmk/