

**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**

912 FIRST APPEAL NO.1506 OF 2012

ICICI LOMBARD GENERAL INSURANCE CO. LTD THR MANAGER
VERSUS
NALINI PRASAD VIDHATE AND ORS

...
Advocate for Appellant : Mr. Chapalgaonkar S. G.
Advocate for Respondent No.1 : Mr. N. C. Garud.
Advocate for Respondent No.4 : Mr. S. S. Bora.
...

ORDER

1. This appeal is placed before us in today's Lok-Adalat.
2. Mr. Chapalgaonkar, the learned counsel for the appellant - insurance Company is present. Mr. Garud, the learned counsel for respondent No.1- original claimant and Mr. Bora, the learned counsel for respondent No.4 are also present.
3. The learned counsel for the appellant submits that the appellant wants to withdraw the appeal.
4. In pursuance of the statement of withdrawal of the appeal, the learned counsel for the appellant placed on record the pursis. It is taken on record. It is marked as 'X' for identification.
5. The learned counsel for respondent made a statement that

respondent-original claimant No.2-Kisan is dead and deleted as per the order of the Court. He further made a statement that respondent-original claimant No.3-Tarabai is also dead. However, there is no documents to that effect before the Panel. In view of the death of respondent Nos.2 and 3, the learned counsel for respondent No.1 submits that the award of the learned M.A.C.T. be modified as regards to the apportionment. In the absence of any material before this Court, it would not be appropriate to modify the apportionment, if any, granted or allowed by the learned M.A.C.T. It is a matter of inquiry and that issue is well dealt with the learned M.A.C.T., Ahmednagar. However, the amount deposited by the appellant with this Court along with interest be transferred to the learned M.A.C.T., Ahmednagar. The learned counsel for the appellant further made a statement that the amount of Rs.2,00,000/- (Rupees Two Lakhs Only) out of the total deposited amount has already been withdrawn.

6. On receiving the amount, the learned Member, M.A.C.T., Ahmednagar, shall disburse the amount according to law, to the persons entitled.

7. Record and Proceeding be returned to the M.A.C.T., Ahmednagar.

8. In view of the above terms, the appeal is disposed of, as

withdrawn.

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

10. 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/