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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 1088 OF 2017
WITH
INTERIM APPLICATION (ST) N.1739 OF 2021
IN
FIRST APPEAL NO. 1088 OF 2017**

National Insurance Co. Ltd.Appellant
V/s
Mohammad Islam Usman Ansari & Ors.Respondents

Mr. Amol Gatne for the original Appellant in FA.
Mr. Husain A. Hasin for Respondent Nos. 1 and 2.

CORAM: NITIN W. SAMBRE, J.

DATE: AUGUST 03, 2021

P.C.: -

1] In claim petition preferred under Section 166 of the Motor Vehicles Act by the Respondents/claimants whose son died in accident, MACT delivered an award on 22nd August, 2016, which reads thus:-

“O R D E R

1. Application is allowed with proportionate costs.
2. Opposite party and the insurer do pay jointly and severally compensation of Rs 14,46,000/- (Rupees

Fourteen Lacs Forty Six Thousand only) to the applicants within one month from the date of this order together with simple interest @ 9% p.a. from the date of filing of the application till entire realization of the amount.

3. This compensation amount is inclusive of NFL compensation amount.

4. The Opposite party and insurer are directed to make the payment by account payee cheques in the name of applicant Nos. 1 and 2 and it be deposited in the Tribunal within one month from the date of this order.

5. On depositing the amount with accrued interest it be paid to the applicant Nos. 1 and 2 in equal shares by A/c Payee cheques.

6. On receipt of the cheques by the office, the same be delivered to the applicant Nos. 1 and 2 after due identification and on recovery of deficit court fees if any.

7. Award be drawn up accordingly.”

The Insurance Company questions the same in the First Appeal.

2] Parties have amicably arrived at settlement and have drawn Consent Terms to that effect which are tendered in this Court. The said Consent Terms signed by the parties and their respective

Advocates are taken on record and marked “X” for the purpose of identification. The claimants are present in person before this Court and are duly identified by their lawyer. They have also produced proof of their identity. Through learned APP, this Court confronted one of the claimants viz. Mrs. Jarina Mohammad Islam Ansari, who stated that the matter is settled as reflected in the Consent Terms.

3] In the wake of above, appeal stands disposed of in terms of the Consent Terms. Let there be decree accordingly.

4] In view of disposal of appeal, pending application therein also stands disposed of.

(NITIN W. SAMBRE, J.)