

Ajay

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO. 431 OF 2021

The New India Assurance Co. Ltd. .. Appellant
Versus
Smt. Nisha Santosh Dawande & Ors. .. Respondents

.....
Ms. Deepika M. Prabhala, i/by RES Juris for the Appellant
Ms. Sangeeta Salvi, Advocate for the Respondents
.....

CORAM : SHRI. MILIND N. JADHAV, J.

**SHRI. D.N. KHER
(COURT RECEIVER) &**

**SHRI. S.K. DHEKALE
(Dy. REGISTRAR, COURT RECEIVER)**

DATE : 11th DECEMBER, 2021.

P.C.:

. Not on Board. Mentioned. Papers called for.

2. Ms. Sangeeta Salvi, learned counsel appearing on behalf of the Respondent Nos.1 to 3, 5 and 6 has tendered her Vakalatnama signed by the respective Respondents who are present in the Court. The said Vakalatnama is taken on record of the present case.

3. Both the learned counsel appearing for the respective parties

submit consent terms dated 11.12.2021. The said consent terms are signed by Lata S. Iyer, Chief Manager & In-charge Mumbai Legal Hub on behalf of the Appellant - Insurance Company, Respondent No.1 for herself and for Respondent Nos.2 and 3. Respondent Nos.4 and 5 who are present in the Court and have also signed the consent terms. The consent terms are taken on record and marked as "X" for identification. The undertakings recorded in the consent terms are accepted.

4. Learned Advocate appearing for the Respondents state that the Respondent have read over and explained the contents of the consent terms and the balance amount that they will be entitled to. Since the Appellant has deposited an amount of Rs.56,43,161/- before the MACT, Mumbai, out of this amount Rs.49,00,000/- shall be paid to the Respondent Nos.1 to 3, 5 and 6 in full and final settlement, whereas an amount of Rs.7,43,161/- shall be paid over to the Appellant.

5. Award be modified and drawn according to the consent terms.

6. First Appeal stands disposed of in the above terms.

7. In view of disposal of the Appeal, pending Applications, if any, also stand disposed of.

8. Statutory deposit be transferred to the concerned Tribunal within a period of one week from today.

9. Court fee be refunded as per rules.

[S.K. DHEKALE]

[D.N. KHER]

[MILIND N. JADHAV, J.]

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Date: 2021.12.11
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