

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BEFORE NATIONAL LOK ADALAT

CIVIL APPELLATE JURISDICTION

FIRST APPEAL No. 1032 OF 2017

The New India Assurance Co. Ltd.	...Appellant
Vs.	
Suma Mathew and Ors.	...Respondents

Ms. Jyoti Bajpayee for Appellant
Mr. C.M. Lokeshappa for Respondent Nos. 1 to 3

CORAM: M.S. KARNIK, J.

V. R. KACHARE, REGISTRAR (JUDICIAL -I)

V .A. SATHE, OFFICER ON SPECIAL DUTY.

DATE : 1st AUGUST, 2021

PC.:

1. Heard learned Advocates for the appellant and respondent No.1 to 3. Respondent Nos. 1 to 3 are present in person. Parties tendered the consent terms duly signed. The Appellant and Respondent Nos.1 to 3 and their respective Advocates have signed the consent terms for themselves. Consent terms are taken on record and marked as 'X' for identification. We interacted with all of them. They admitted the contents in the consent terms and confirm to have signed the consent terms. Learned Advocate for the Appellant and Respondents admitted the contents in consent

terms, which are drawn in terms of what is agreed between the parties.

2. Learned Advocate for the Respondents state that Respondent No.4 died during the pendency of appeal. A true copy of the death certificate on record. It is taken on record and marked as "Y" for identification. He, on instructions, further submits that Respondent Nos.1 to 3 are the only legal heirs of Respondent No.4. As Respondent Nos.1 to 3, being the only legal heirs of Respondent No.4 are already on record, there is no difficulty in disposing of the Appeal.

3. The Appeal stands disposed of in the terms of consent terms.

4. Parties shall abide with the terms of the consent terms.

5. R & P be sent back to the Trial Court.

(V. A. SATHE) (V. R. KACHARE) (M.S. KARNIK, J.)