

Ajamberkar

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

FIRST APPEAL NO. 39 OF 2012
WITH
CIVIL APPLICATION NO. 3135 OF 2019

The Divisional Manager,
The New India Assurance Co Ltd .. Appellant
Versus
Heerabai Uttam Kothule & Ors. .. Respondents

-
- Mr. S.M. Dange for the Appellant
 - Mr. Pritesh Rahade for the Respondents
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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.:

. Heard learned counsel for the parties.

2. The matter has been compromised. Parties have filed the consent terms which are taken on record and marked 'X' for identification. The Consent terms are signed by the Chief Manager In-Charge Mumbai Legal Hub of the Appellant Insurance Company and Respondent Nos. 1 and 2 and their respective Advocates. Respondent

Nos. 1 and 2 have been explained the terms in Marathi language as they could understand. The undertaking recorded in the consent terms are accepted. It is reiterated that since the amount that the Respondents shall receive by way of these Consent Terms has been written in handwriting, it is felt appropriate to reproduce the said paragraph of the Consent Terms. Paragraph 1 of the Consent Terms reads as under:-

"1. The Appellant shall withdraw amount of Rs. 70,000.00 (Rs. Seventy Thousand Only), with proportionate interest @ 7.5% p.a. from the above mentioned deposited amount. The Respondent Nos. 1 and 2 shall withdraw the balance amount being Rs. 6,43,390/- with accrued interest as and by way of full and final settlement of their claims against the Appellant and the Respondent Nos. 3 and 4 above named."

3. Award be modified and drawn according to the Consent terms.
4. First Appeal stands disposed of in the above terms.
5. In view of disposal of the Appeal, pending Applications, if any, also stand disposed of.
6. Statutory deposit be transferred to the concerned Tribunal within a period of one week from today.
7. Court fee be refunded as per rules.

[S.K. DHEKALE]

[D.N. KHER]

[MILIND N. JADHAV, J.]

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by RAVINDRA
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