

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Pursis St. No.04/2021 in First Appeal No.280/2020

Bharti Axa General Insurance Com.

Appellant.

Versus

Lakhan Yado and others

Respondent

Shri R.D. Bhuibhar, Adv for appellant.

Shri S.B. Dhande, Adv for resp. nos. 1 and 2.

CORAM : ANUJA PRABHUDESSAI, J.

DATED : 10 FEBRUARY 2021

General Manager (Legal) of appellant/Insurance Company
Shri Idris Zahid Khanwala is present along with his Counsel.

2. The original claimants have filed joint Pursis stating that they have accepted an amount of Rs. 9,00,000/-(rupees nine lakh only) along with interest thereon. They have agreed for refund of an amount of Rs. 3,90,529/-(rupees three lakh ninety thousand five hundred and twenty nine) to the Insurance Company.

3. Since the claimants/respondent nos.1 and 2 have agreed to accept the reduced amount they were directed to remain present before the Court. Accordingly, respondent nos. 1 and 2 are present along with their Counsel. They accept and confirm that they have filed pursis on

11-01-2021 and state that they are agreeable to receive an amount of Rs. 9,00,000/-(rupees nine lakh only) along with interest thereon. In view of the statement, Pursis is taken on record. The impugned judgment and award is modified, as per the terms recorded in the Pursis.

4. Respondent nos. 1 and 2 are held to be entitled for the compensation of Rs. 9,00,000/-(rupees nine lakh only) along with proportionate interest thereon. The balance amount along with proportionate interest be refunded to the appellant/Insurance Company.

[Anuja Prabhudessai, J]