

946-FA-3084-2015 & Anr.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

946 FIRST APPEAL NO. 3084 OF 2015
WITH
CIVIL APPLICATION NO.6299 OF 2022
WITH
FIRST APPEAL NO. 1798 OF 2015
WITH
CIVIL APPLICATION NO. 6921 OF 2014
IN
FIRST APPEAL NO. 3084/2015

INDIAN AIRLINES CORPORATION LTD., NOW AIR INDIA

VERSUS

ANJALI DEEPAK MUNOT AND OTHERS

...

Advocate for Applicant : Mr J.V. Deshpande
Advocate for Respondent Nos. 1 to 3 : Mr A.S. Bajaj

CORAM : SHRIKANT D. KULKARNI, J.
DATE : 22nd APRIL, 2022

PER COURT :

1. Mr J.V. Deshpande, learned counsel for the appellant/Indian Airlines Corporation Ltd. seeks leave of the Court to place on record pursis in First Appeal No. 3084/2015 regarding withdrawal of the appeal in view of the amicable settlement between the parties. Leave granted.
2. The pusis is taken on record and marked 'X' for identification.
3. Heard Mr Deshpande, learned counsel for the Indian Airlines Corporation and Mr A.S. Bajaj, learned counsel for the original claimants. Both of them submitted that dispute has been amicably settled between the parties

out of the Court as per the terms of the settlement. The Indian Airlines Corporation Ltd., would deposit additional sum of Rs. 20,63,872/- in this Court and in turn, original claimants would be entitled to withdraw the same.

4. It is pointed out by Mr Bajaj, learned counsel for the original claimants that the decretal amount has been already deposited in this Court and it is lying with the Registry since it is not withdrawn by the claimants. As such, the claimants would be entitled to withdraw entire amount of compensation including additional sum with interest.

5. Having regard to the submissions of the learned counsel for the respective sides, I proceed to pass the following order :-

ORDER

- (i) The First Appeal No. 3084/2015 and First Appeal No. 1798/2015 stand disposed of as withdrawn in view of the amicable settlement between the parties out of the Court.
- (ii) The appellant/Indian Airlines Corporation Ltd. in First Appeal No. 3084/2015 is hereby permitted to deposit additional sum of Rs. 20,63,872/- in this Court.
- (iii) The original claimants arising out of First Appeal No.1798/2015 shall be entitled to withdraw compensation amount of Rs. 17,54,632/- with accrued interest deposited earlier by the Indian Airlines Corporation Ltd. in this Court.

- (iv) The original claimants are entitled to withdraw additional sum of Rs.20,63,872/- to be deposited in this Court by Indian Airlines Corporation as per the terms of the settlement with accrued interest thereon, if any.
- (v) Both the appeals are accordingly disposed of.
- (vi) The civil applications, if any, also stand disposed of.

(SHRIKANT D. KULKARNI, J.)

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