

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
FIRST APPEAL NO. 3 OF 2019**

BRIJESH KAKODKAR AND ANR.,APPELLANTS.

Versus.

MANJUNATH TIPANNA BAGLERESPONDENTS
AND 2 ORS.,

Mr. A.D. Bhobe, Advocate for the Appellants.

Mr. U.R. Timble, Advocate for Respondent No.3.

CORAM : M. S. SONAK, J.

DATE : 1st December 2022

P.C. :-

1. Heard Mr. Bhobe for the Appellants and Mr. Timble for Respondent No.3-Insurance Company.
2. The learned Counsel jointly state that a settlement has been reached between the Appellants-Claimants and the Respondent No.3-Insurance Company, in this matter. In terms of the settlement so reached, Respondent No.3-Insurance Company will pay to the Appellants a compensation of ₹4,00,000/- on a lump sum basis, within 2 (two) months from today.

3. Mr. Timble states that Respondent No.3 will either pay this amount directly to the Appellants or deposit this amount in this Court, after due notice to the learned Counsel for the Appellants. Upon deposit, the Appellants will be entitled to withdraw the same on furnishing identification and bank details. Registry to ensure that the amount is directly deposited into the bank account of the Appellants.

4. The learned Counsel for the parties state that if any amount is already paid to the Appellants towards the No Fault Liability, then, the same would be adjusted from the above amount of ₹4,00,000/-. However, if no amount is paid, then, Respondent No.3-Insurance Company would, within two months from today, pay the lump sum of ₹4,00,000/- to the Appellants, without requiring the Appellants to institute any execution proceedings.

5. Mr. Bhobe, on instructions from the Appellants, states that the entire amount of compensation can be paid in the name of the Appellant No.1-Brijesh Kakodkar. Respondent No.3-Insurance Company to pay accordingly the entire compensation amount to the Appellant No.1.

6. The impugned Award is modified accordingly and, this Appeal is disposed of with consent. There shall be no order for costs.

M. S. SONAK, J.

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