

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION
FIRST APPEAL (ST) NO. 2393 OF 2020
WITH
INTERIM APPLICATION NO. 1609 OF 2020
IN
FIRST APPEAL (ST) NO. 2393 OF 2020
WITH
INTERIM APPLICATION NO. 1608 OF 2020
IN
FIRST APPEAL (ST) NO. 2393 OF 2020**

Divisional Manager, the New India Assurance Co. Ltd	... Appellant
Vs.	
Mangal Arun Gite and Ors	... Respondents

Ms. Poonam Mittal, i/b Jyoti Bajpayee, Advocate for the Appellant.
Mrs. Lata S. Iyer, Chief Manager and Regional Office-In-Charge, Mumbai legal Hub, for New India Assurance Co. Ltd
Mr Dattatraya Pandey and Mr. Sourin Shaha, Administrative Officers for New India Assurance Co. Ltd.
None for the Respondents.
Ms. Mangal Arun Gite and Arun Lahanu Gite-Respondent Nos. 1 and 2 were present.

CORAM :	Gauri Godse, J. (HEAD OF THE PANEL) V.A. Sathe OSD at Court Receiver (Appellate Side), MEMBER
----------------	--

R.V. Wanwadi,
DEPUTY REGISTRAR
(Inspection), MEMBER

DATE : 13th August, 2022

P.C. :

1. Mentioned. Not on board. Taken on production board.
2. Ms. Poonam Mittal, learned Advocate instructed by Advocate Jyoti Bajpaye, appears for the Appellant-Insurance Company and tenders consent terms. Mr. Sourin Saha, Administrative Officer for New India Assurance Co. Ltd, states that he identifies the signature of the Manager of Appellant-Insurance Company who has signed the consent terms. Respondent Nos. 1 and 2 who have signed the consent terms are personally present today. However they have not engaged any Advocate. Copies of identity proof of Respondent Nos. 1 and 2 are taken on record which are attested by both the Respondents respectively. The consent terms are taken on record and marked as 'X' for identification.
3. As per clause 5 of the Consent Terms, the Appellant shall deposit the amount of Rs. 12,25,000/- inclusive of no fault liability amount with 9% interest from the date of application till

13th August 2022 as full and final amount towards compensation within six weeks from today.

4. Once this amount is deposited, Respondent Nos. 1 and 2 will be entitled to withdraw the entire deposited amount from the Motor Accident Claims Tribunal, Nashik. This Panel has personally explained the contents of the consent terms to Respondent Nos. 1 and 2 and they have understood the contents of the consent terms and are agreeable for the amount that will be received by them as per the consent terms.

5. The amount of statutory deposit made in this Court to be transferred to the Motor Accident Claims Tribunal, Nashik along with accrued interest.

6. First Appeal is disposed of in terms of consent terms. Decree be drawn accordingly.

7. The Appellant shall be entitled to refund of Court Fees as per the applicable Rules.

8. In view of Consent Terms, pending all Interim Applications also stands disposed of.

(R.V.Wanwadi)
Member

(V.A. Sathe)
Member

(Gauri Godse,J.)
Head of the Panel