TRUPTI SADANAND BAMNE

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 1340 OF 2013

Divisional Manager,
The New India Assurance Co. Ltd. … Appellant
Vs.
Mr.Vaidya Mahesh Salimath & Ors. … Respondents

WITH
INTERIM APPLICATION NO. 3154 OF 2022 (NOT ON BOARD)
IN
FIRST APPEAL NO. 1340 OF 2013

Divisional Manager,
The New India Assurance Co. Ltd. ...Applicant

IN THE MATTER BETWEEN

Divisional Manager,
The New India Assurance Co. Ltd. ...Appellant
Vs.
Vidhya Mahesh Salimath & Ors. ...Respondents

Mr. S.M. Dange for the Appellant.
Mr. Pritesh Bohade for Respondent Nos. 1 to 3.

CORAM : V.G.BISHT, J.
(HEAD OF THE PANEL)

P. P. SHARMA, DEPUTY REGISTRAR
('A' CIVIL BRANCH), MEMBER

D.V.KUTE, DEPUTY REGISTRAR
(PERSONNEL), MEMBER

DATE : 7TH MAY, 2022

P.C. :

1. Mr. Dattatraya Pande, Administrative Officer, The New India Assurance Co. Ltd. is present.

2. Learned counsel for the appellant submits that respondent No. 2 - Basavraj Mahesh Salimath and respondent No.3 – Sharada Basavraj Salimath are dead. He has produced xerox copy of death certificates of respondent Nos. 2 and 3, which are taken on record and marked **'A'** and **'A-1'** respectively for the purpose of identification.

3. Interim application in respect of deletion of the name of respondent No. 3 is not board. After mentioning, taken on board.

4. Perused interim application and the death certificate of respondent No.3.

5. Interim application is allowed and accordingly disposed of.

6. On oral request of learned counsel for the appellant, the name of respondent No.2 is deleted as he is dead.

FIRST APPEAL NO. 1340 OF 2013

1. Learned counsel for both the parties submit that the parties have settled the matter amicably and they have arrived at consent terms. Learned counsel has produced consent terms dated 12th March, 2022, which is taken on record and marked **'X'** for identification. The parties along with their respective counsel signed the consent terms. The parties,

who are present before the Court, admit the correctness of the contents thereof.

2. The first appeal stands disposed of in view of the consent terms, with no order as to costs.

3. The appellant shall be entitled to refund of Court Fees, as per Rules. The statutory amount, if any, deposited in this Court at the time of filing of appeal shall be transferred to the Motor Accident Claims Tribunal, Nashik.

4. A decree be drawn accordingly.

(D.V.KUTE) (P.P.SHARMA) (V.G.BISHT, J.)