

rrpillai

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 897 OF 2018**

The New India Assurance Co.Ltd.Appellant
New India Centre, 1st floor
17-A Cooperage Road
Mumbai 400 039

vs.

1. Shri Vinit Bipinbhai PujaraRespondents
Aged about 22 years
Residing at : 113, New Chinch Bunder Road
Sir Sati Sadan, 4th floor, Room No. 68/69
Masjid Bunder, Mumbai 400 009
2. Vikramjeet Singh
Maratch, Shree Gurusingh Sabha
Room No. 82/83, 1st floor
Mumbai 400 012

Mr. D. R. Mahadik, Advocate for the Appellant.
Mr. Avadhut P. Bidaye, Advocate for the Respondent No.1.

**CORAM : Gauri Godse, J.
Head of the Panel
: H.M.Bhosale,
Registrar, Judicial II**

RAJESHWARI
RAMESH
PILLAI
Digitally signed
by RAJESHWARI
RAMESH PILLAI
Date:
2022.11.16
13:10:36 +0530

: **P.A.Patki,
Deputy Registrar,
A Civil Br. PIO**

DATE : 12th November 2022

P.C.

1. Mr Avadhut P. Bidaye appearing for Respondent no. 1 states that the Advocate earlier appearing for Respondent no. 1 has expired and hence he may be permitted to file vakalatnama. Mr Avadhut P Bidaye is permitted to file vakalatnama.
2. Learned counsel appearing for the parties have tendered signed consent terms. Consent terms are taken on record and marked “X” for identification with today’s date. We have perused the consent terms. Consent terms are proper. Consent terms are signed by Respondent No. 1 and the authorised signatory of the Appellant as well as Advocates for the respective parties. Parties are present in court. Parties present are identified by their respective Advocates.
3. Clause 3 of the consent terms state that the amount is paid on behalf of the Appellant as well as on behalf of Respondent No. 2(owner of the offending vehicle).
4. Respondent No. 1/Claimant as well as the Appellant are permitted to withdraw the amount as stated in paragraph 6 of the consent terms.

5. Statutory deposit amount, if any, lying in this court to be transferred to MACT, Mumbai along with accrued interest.
6. First Appeal is disposed in terms of the consent terms. No order as to costs.
7. By consent the impugned judgment and award stand modified in terms of the consent terms. Decree to be draw up accordingly.
8. Refund of court fees permitted, as per law.
9. In view of the consent terms all pending Applications stand disposed of as infructuous.
10. All parties and the concerned Tribunal to act on the authenticated copy of this Order.

P.A.Patki
Member

H.M.Bhosale
Member

Gauri Godse, J.
Head of the Panel