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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1105 OF 2018

The New India Assurance Co. Ltd. ... Appellant
Vs.
Smt.Asmakhatun Mohd. Shakil Pathan & Ors. ... Respondents

Mr. Devendranath S. Joshi for the Appellant.
Mr. Tejpal S. Ingale for Respondent Nos. 1 to 4.

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

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

D.VKUTE, DEPUTY REGISTRAR
(PERSONNEL), MEMBER

DATE : 7TH MAY, 2022

PC. :

1. Learned counsel for respondent Nos. 1 to 4 submits that respondent No.6 i.e. mother of deceased due to old age and ailment is not present before this Court. A certificate to that effect issued by Gram Panchayat-Nagva, Janpad- Siddharth Nagar, Uttar Pradesh shows that respondent No. 6, who is 83 years old, is not keeping well and is not in a position to undertake any journey. The said certificate is taken on record and marked 'A' for identification.

2. I have also gone through the consent terms dated 7th May, 2022 arrived at between the parties. The said consent terms is taken on record and marked 'X' for identification. The parties along with their respective counsel have signed the consent terms. The parties, who are present before the Court, admit the correctness of the contents thereof.

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

4. Pending civil applications, if any, stand disposed of accordingly.

5. 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, Mumbai.

6. A decree be drawn accordingly.

(D.VKUTE)

(P.P.SHARMA)

(V.G.BISHT, J.)