

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

First Appeal No.834/2017

Shriram General Insurance Co.Ltd V Smt. Vandana Solanke and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. H.N. Verma, Advocate for appellant.

Mr. S.P. Pawar, Advocate for resps. no.1 to 5.

CORAM : ABHAY AHUJA, J.

DATE : 13-09-2022

Mr. S.P. Pawar, learned Advocate tenders Vakalatnama on behalf of respondent no.5 which is taken on record.

2. A Joint Compromise Pursis has been filed pursuant to which the appeal is sought to be amicably settled between the appellant/Insurance Company and respondents no. 1 to 5 (original claimants) for a total sum of Rs. 22,50,000/- in full and final settlement of the entire accident compensation inclusive of 'No Fault Liability' amount ("NFL"), costs, interest etc.

3. Admittedly, an amount of Rs. 50,000/- being the NFL amount was deposited before the trial Court and also paid to the claimants, leaving an amount of Rs. 22 Lacs along with interest from the date of deposit of the decretal amount with this Court till the date of payment.

4. Mr. Pawar, learned Advocate for the respondents/claimants submits that respondent no.4 has passed

away on 31-07-2022. Mr. Verma, learned Advocate for the Insurance Company does not raise any objection to the said submission and seeks leave to withdraw the appeal.

5. Having heard the learned counsel for the parties and having perused the Joint Compromise Pursis, the following order is passed :-

ORDER

- a) Let an amount of Rs. 5,50,000/- along with interest be withdrawn by each of respondents no.1 and 5.
- b) With respect to respondents no.2 and 3 who are stated to be minors let the amount of Rs.5,50,000/- each be deposited in a fixed deposit of any nationalized bank till the minors attain the age of majority.
- c) The balance amount with interest be allowed to be withdrawn by the appellant.
- d) Statutory Deposit and Court fees be refunded to the appellant as per rules.

6. The appeal stands disposed as withdrawn in above terms. No costs.

(Abhay Ahuja, J.)