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IN THE LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE SHAILESH P. BRAHME

HELD ON 9th DECEMBER 2023
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD.

FIRST APPEAL NO. 2147 OF 2018
THE NEW INDIA ASSURANCE CO. LTD., THR ITS
AUTHORIZED SIGNATORY, AURANGABAD
VERSUS
PUSHPA DILIP JAVLE AND ORS

WITH
CIVIL APPLICATION NO.8300 OF 2022
PUSHPA DILIP JAVLE AND ORS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., THR ITS
AUTHORIZED SIGNATORY, AURANGABAD

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Advocate for Appellant : Mr. M.M.Ambhore
Advocate for Respondents : Mr. Vishnu B. Madan
Mr. Dinesh Shankar Bankar, Assistant Manager, The New India
Assurance Company Ltd.

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ORDER

1. Mr. Ambhore, learned Counsel for the Appellant and Mr. Madan, learned Counsel for the respondents alongwith Mr. Bankar, Assistant Manager of the New India Assurance Company are present today.

2. The respondent nos. 1 to 5 are the claimants. The respondent no.4 is dead and his legal heirs are already on record. The respondent no.5 is old aged and ailing person and is unable to remain present in person. She is mother-in-law of respondent no.1. She is present through video conferencing. The parties have amicably settled the claim. Accordingly the terms of compromise is placed on record and marked as Exhibit-X for identification.

3. The appellant/ the New India Assurance Company has deposited the awarded amount alongwith interest in this Court. From time to time, the respondents/Claimants have withdrawn few amount.

4. We have verified terms of compromise. The respondents /Claimants have agreed to give up an amount of Rs.6,00,000/- to the appellant/the New India Assurance Company. They have agreed to accept the balance amount which is deposited in the High Court towards full and final settlement of the claim after surrendering an amount of Rs.6,00,000/- from the deposited amount in the Court to appellant/the New India Assurance Company.

5. In view of the amicable settlement as per Exhibit-X, the first appeal stands disposed of. The appellant/ the New India Assurance Company shall be at liberty to withdraw an amount of Rs.6,00,000/- deposited in this Court. The respondent nos. 1 to 5/original Claimants shall be at liberty to withdraw the balance amount deposited in this Court alongwith accrued interest.

6. The Court fees be refunded as per rules.

7. An award be drawn up accordingly.

8. Civil Application, if any stands disposed of.

(A. R. Borulkar)
Advocate
Member

(S.G. Shete)
D. J. (Retired)
Member

(Shailesh P. Brahme, J.)
Head of the Panel

Date: 09.12.2023.
Place: Aurangabad