

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE SHAILESH P. BRAHME,
HELD ON 09 SEPTEMBER, 2023,
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURGANGABAD**

FIRST APPEAL NO. 2893 OF 2019

DNYANESHWAR NARAYAN KOLTE
VERSUS
NANDUSING BHAGWANSING CHUNGADE AND OTHERS

Advocate for Appellant : Mr. P.C. Mayure
Advocate for Respondent No. 3 : Mr. Mohit R. Deshmukh

ORDER

1. Learned counsel for the appellant Mr. Mayure, along with appellant Mr. Dyaneshwar Narayan Kolte and learned counsel Mr. Deshmukh for respondent no. 3 – Insurance Company along with representative of respondent no. 3 – Mr. Yogesh Sonawane, Executive Officer, Bajaj Allianz General Insurance Co. Ltd., are present today.
2. With the assistance of learned counsel, we have ascertained the identification of the appellant. He confirms the terms of settlement which is filed today.
3. Learned counsels for the respective sides and the parties have placed on record the terms of settlement which is marked as exhibit 'X'. They pray to dispose of First Appeal in terms of exhibit 'X'. The request is accepted.
4. First Appeal stands disposed of in terms of exhibit 'X'.

5. As per the terms of settlement exhibit 'X', the respondent no. 3 shall deposit an additional amount of Rs. 5,50,000/- (Rupees five lakh fifty thousand) towards full and final settlement within stipulated period with the Motor Accident Claims Tribunal, Aurangabad. On depositing the amount, the appellant is permitted to withdraw the same.

6. The terms of settlement stipulates in paragraph no. 5 that the respondent no. 3 is to deposit the amount with the registry of the High Court. However, it is agreed before our Panel that the respondent no. 3 shall deposit the amount before the Motor Accident Claims Tribunal, Aurangabad. With these modifications, the terms of settlement are accepted and are to be acted upon.

7. The office is directed to prepare award, accordingly. The office shall refund court fees as per rules. First Appeal is disposed of.

(A.B. Kadethankar)
Advocate
Member

(V.B. Mantri)
D.J. (Retd.)
Member

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

Date : 09.09.2023
Place : Aurangabad

spc/