

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO. 1481 OF 2002

Oriental Insurance Co. Ltd.

.... Appellant

Versus

Rani Jagdish Sahadevan & Ors.

.... Respondents

...

Mrs. S.S. Dwivedi Advocate for the Appellant.

Mr. Abhishek Pungliya i/b Neel Pungliya Advocate for the
Respondent Nos. 1 & 2.

...

CORAM : S. G. DIGE, J.

DATE : 20TH FEBRUARY, 2023.

P.C. :

1. Heard learned counsel for the appellant and learned counsel for respondents.

2. Both learned counsel submit that both the parties have settled the matter. The appellant-insurance company is ready to pay Rs. 30,00,000/- as compensation to respondent-claimant excluding the amount already deposited before the Motor Accident Claims Tribunal, Mumbai in MACT No. 2493 of 1991 as per the order dated

Corrected version of order dated 20th February 2023 pursuant to speaking to minutes of order dated 23rd February 2023.

05 May 2000. This amount of Rs. 30,00,000/- would be without interest, it excludes the compensation awarded by MACT Mumbai.

3. Learned counsel for respondent-claimant agrees for it. The claimants who are present in the Court also agrees for the same. The Officer of appellant who present in the Court also agrees for the same.

4. In view of the submission of both learned counsel and the respondent-claimant, I pass following order.

O R D E R

- i. Appeal is partly allowed.
- ii. The appellant insurance company shall deposit amount of Rs. 30,00,000/- before the MACT, Mumbai within four weeks from today.
- iii. The Claimants are permitted to withdraw the amount deposited by appellant as award amount granted by Tribunal along with accrued interest thereon and the amount of Rs. 30,00,000/-.
- iv. The statutory amount be transmitted to the MACT, Mumbai. The parties are at liberty to withdraw it as per Rule. The appeal is disposed off.

5. Parties to an act on authenticated copy of this order.
6. All pending applications, if any, stand disposed off.

(S. G. DIGE, J.)