

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

FIRST APPEAL NO.609 OF 2016

The New India Assurance Com. Ltd.,	...Appellant
<i>Versus</i>	
Jayprakash Anandrao Pol & Ors	...Respondents

Mr. H. G. Misar, For Appellant
Mr. Jay Prakash Pol for Respondent No.1
Mr.Mandar Gale for Respondents.

CORAM : RAJESH S. PATIL, J.
(HEAD OF THE PANEL)

V.V. KATHARE
REGISTRAR (VIGILANCE-II)
MEMBER

D.V. KUTE,
DEPUTY REGISTRAR
(PERSONNEL) MEMBER

DATED : 9 DECEMBER 2023

P.C.:

1. Appellants as well as Respondents have entered into the consent terms dated 9 December 2023. The consent terms signed by these parties is taken on record and is marked “X” for identification. Mr. Misar, learned counsel for Appellant and Mr. Jay Prakash Pol and Mandar Gale learned counsel for Respondents state that the parties have

signed in their presence and they identify their signatures. Learned counsel for Appellant and Respondents state that they have explained to the signatories and the signatories have signed the consent terms after understanding the contents. For ease of references, the Consent Terms are scanned and reproduced herein below :-

Filed in Court on 21/2/2016
and marked as "X"

21/2/16

RIAL
21/2/16

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL No. 609 OF 2016

District: Pune

New India Assurance Co. Ltd.

Appellant

- VERSUS -

Jayprakash Anundrao Pol & ors

Respondents

CONSENT TERMS

1. The Respondent Nos. 1 filed application no. M.A.C.P. No. 286/2010 before Learned Motor Accident Tribunal, Pune.
2. The Claim Petition was allowed with Judgment and Award dated 25.2.2015, directing the appellant to pay compensation to the tune of Rs.8,58,780/- with interest @ 7% per annum from 18.1.2010.
3. The Appellant Insurer has preferred aforesaid First Appeal taking exception to the said Judgment and the same is pending before This Honorable High Court.
4. During the pendency of the aforesaid Appeal, the Appellant and the Respondent Nos. 1 had meetings for negotiations

[Signature]

[Signature]

and settlement of dispute once for all wherein the parties have reached to an amicable settlement out of the court.

5. The Respondent no.1 (claimant) is ready and willing to accept Rs.11,50,000/- (Rupees Eleven lac fifty thousand Only) towards full and final satisfaction of the Judgement and award dated 25.2.2015 passed in MACP NO.286 of 2010 at Pune.
6. The Appellant shall deposit Rs.11,50,000/- (Rupees Eleven lac fifty thousand Only) before Learned Motor Accident Tribunal, Pune within 8 weeks from passing of the order before Lok Adalat held on 9.12.2023.
7. The Respondent no.1 shall have no further claims whatsoever against Appellant in any Court/ Tribunal/ Forum/ Judicial/ Quasi-Judicial Authority in India with respect to injury caused to the Respondent no.1 on 23.1.2007.
8. The court fees refund to the Appellant as per rule.
9. In view of the above, the impugned Judgment and Award dated 25.2.2015 passed by Learned Motor Accident Tribunal, Pune stands modified and the claim of the original



Claimants stands fully satisfied against the Appellant. The Claim Application filed by the Respondent/Claimants before the Tribunal as well as the aforesaid First Appeal with Civil Applications therein filed by the present Appellant stands disposed of in terms of the present Consent Terms.

10. The Decree to be drawn up accordingly.

Dated 9th day of December 2023

For The New India Assurance Co. Ltd.
Appellant

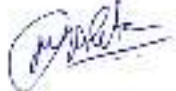


Identified by me

Jyprakash Anand Rao Pol
Respondent no.1

Explained, Interpreted
& identified by me


Advocate for the Appellant


Advocate for the Respondent no.1

2 Learned counsel for Appellant state that all the signatories
are also present in Court and identify their respective clients.

3 Appeal stands disposed in terms of the consent terms dated
9 December 2023. All statements are accepted as an undertaking to this
Court. All undertakings are also accepted.

4 All parties to act on the authenticated copy of this order.

5 Civil application/interim application, if any, are also
disposed off. Refund of Court Fees as per rules.

[D. V. KUTE]
MEMBER

[V. V.KATHARE]
MEMBER

[RAJESH S. PATIL, J.]
HEAD OF THE PANEL