

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

**FIRST APPEAL (ST) NO.25979 OF 2017
WITH
CIVIL APPLICATION NO.655 OF 2018
WITH
CIVIL APPLICATION NO.656 OF 2018**

Shriram General Insurance Co.Ltd.,
Thr. Mr. Satpalsingh Rajput
– Manager Legal ...Appellant/Applicant
Versus
Sau. Jyoti Vithoba Nahire And Anr. ...Respondents

Mr. Nikhil Mehta h/f KMC Legal Venture for the
Appellant/Applicant.

CORAM : RAJESH S. PATIL, J.

DATED : 25 OCTOBER, 2023

P.C.:

FIRST APPEAL (ST) NO.25979 OF 2017

1. Advocate for the Appellant on instructions of his clients states that parties have settled their dispute before the mediator, and accordingly an Order was passed before the Executing Court on 30 September, 2023.

2. The said Order dated 30 September, 2023 reads as under :-

Digitally signed
by SUNNY
ANKUSHRAO
THOTE
Date:
2023.10.26
19:47:14 +0530

“This MACP Darkhast is filed by the applicant/decreed holder for recovery of compensation against the opponent/J.D. The decreed holder and opponent has filed compromise pursis vide Exh.8 and permission to withdraw the present proceeding in view of compromise pursis at Exh.8. In view of compromise pursis Exh.8 and authority letter Exh.7 the present darkhast is amicably settled between the parties. In view thereof, the said proceeding is allowed to be withdrawn and is disposed of accordingly.”

3. The Advocate for the Appellant has also tendered a copy of E-mail dated 11 October, 2023, written by his client the Appellant to him whereby their seeking to withdraw the present First Appeal and have also sought that the statutory amount of Rs.25,000/- deposited in this Court be returned to the claimant. E-mail dated 11 October, 2023 is taken on record and marked as ‘X’ for identification.

4. The First Appeal is disposed of as withdrawn.

5. Civil Applications are also disposed of.

6. The amount of Rs.25,000/- deposited at the time of filing of the First Appeal should be transferred to the account of Respondent No.1 i.e. Jyoti Vithoba Nahire, whose Bank Account details are as under :-

Bank Name : Punjab National Bank
Branch Name : Vedmandir Nashik
IFSC Code : PUNB0084920
Account No. : 0849200100008808

7. The Registry to see that the amount of Rs.25,000/- along with accrued interest is transferred to the account of the Respondent No.1.

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

(RAJESH S. PATIL, J.)