



HIGH COURT LEGAL SERVICES SUB-COMMITTEE,
NAGPUR BENCH, NAGPUR.

BEFORE THE NATIONAL LOK ADALAT.

FIRST APPEAL NO.490/2013

New India Assurance Co. Ltd

-VERSUS-

Smt. Vimlabai and others

Counsel for the Appellant - Ms. S.H. Bhatia, for the appellant.

O R D E R.

Dated 09-12-2023.

Appellant-New India Assurance Company with its Advocate are present. Learned Advocate submitted that in view of the landmark judgment in the case of **National Insurance Company Limited Vs. Pranay Sethi**, reported in **(2017) 16 SCC 680**, the appellant does not want to proceed with the appeal and they accepted the findings given in the judgment and award passed by the learned Tribunal. Accordingly, the learned Advocate for the appellant filed Pursis before the Panel and thereby requested to permit it to withdraw the appeal.

2. In view of the Pursis, the appeal is disposed of as withdrawn, as under. Stay order, if any, is vacated.

3. **The respondent nos. 1 to 3/ original claimants** are permitted to withdraw the amount of compensation, if any, lying in the Court.

4. The appellant/Insurance Company is at liberty to

recover the compensation amount paid to the owner of the Vehicle/ respondent nos. 4 and 5 as per the order of the Tribunal.

5. Court fee, be refunded to the appellant as per rules.

6. Appeal is disposed of as withdrawn.

**MEMBER
(Vinay Dhabe)
Advocate**

**MEMBER
(Ashok Matte)
Retd. D.J.**

**HON'BLE SHRI JUSTICE
(Abhay J. Mantri)**

*Deshmukh