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IN THE LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE SHAILESH P. BRAHME
HELD ON 3rd MARCH 2024
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD.

CIVIL APPLICATION NO. 4506 OF 2017

IN

FIRST APPEAL STAMP NO. 6067 OF 2017

WITH

FIRST APPEAL STAMP NO. 6067 OF 2017

BHARAT TATYABA @ TATYABHAU KHAWALE
VERSUS
SAYYED SHAKIR SAYYED RASHID AND ORS

...

Advocate for Appellant : Mr. Sushant B. Choudhari
Advocate for Respondent No.2/Insurance Company :
Mr. Abhijit Choudhari

...

ORDER

1. Learned Counsel Mr. Sushant Choudhari alongwith the appellant and the learned Counsel Mr. Abhijit Choudhari for the respondent no.2/ICICI Lombard General Insurance Company Ltd., are present before the Panel today. They seek to place on record a pursis for discharging the liability of the respondent no.1 and 2. The same is taken on record and marked as 'Exhibit-X'.

2. For the reasons stated in the Civil Application No.4506/2017, delay in filing First Appeal Stamp No. 6067/2017 stands condoned. Office is directed to register the First Appeal.

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3. With the assistance of learned Counsels, we have ascertained the identification of the parties.

4. Parties agree to discharge the liability of the respondent no.1 and 2 in terms of compromise at Exhibit - X. As per impugned award, the respondent no.1 and 2 are held liable to pay 50% of compensation. The respondent no.1 and 2 shall additionally deposit an amount of Rs.4,00,000/- (Rupees Four Lakhs only) before the Motor Accident Claim Tribunal, Bhoom within a period of six weeks from today. In terms of compromise at Exhibit - X, the liability of the respondent no. 1 and 2 stands discharged. The appellant agrees to delete respondent no.1 and 2.

5. On depositing the amount, the appellant shall be at liberty to withdraw the same alongwith accrued interest.

6. The learned Counsel for the appellant seeks leave to delete the respondent no.1 and 2.

7. Leave is granted and amendment to be carried out within a period of two weeks. The First Appeal shall proceed as against respondent no.3 and 4 and to the extent of their remaining liability.

8. Civil Application stands disposed of.

(A.R. Borulkar)
Advocate
Member

(S.G. Shete)
D. J. (Retired)
Member

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

Date: 03.03.2024.
Place: Aurangabad.