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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.**

**947 FIRST APPEAL NO. 205 OF 2023
ICICI LOMBARD GENERAL UNSURANCE CO. LTD., THR ITS
MANAGER, AURANGABAD
VERSUS
RUBEENA BI ANWAR PATHAN AND ORS
AND
954 CIVIL APPLICATION NO. 5559 OF 2020
IN
FIRST APPEAL STAMP NO. 21274 OF 2019
WITH
FIRST APPEAL STAMP NO. 21274 OF 2019
RUBINABI ANWAR PATHAN @ RUBEENA BI ANWAR
PATHAN AND ORS
VERSUS
ICICI LOMBARD GENERAL UNSURANCE CO. LTD., THR ITS
MANAGER, AURANGABAD**

...

Advocate for Appellant/ Insurance Company : Mr. Abhijit
Choudhari

Advocate for Respondent Nos. 1, 3, 4 and 5 :

Mr. Usmanpurkar Aniruddha S

Advocate for Applicants in CA No.5559/2020 : Mr. A.G.
Choudhari h/f Mr. Mayure Pramod C.

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ORDER

1. Learned Advocate Mr. Abhijit Choudhari for the
appellant/ Insurance Company, learned Advocate Mr.
Usmanpurkar alongwith Respondent Nos.1, 3, 4 and 5/
Original Claimants are present before Panel today. Original

Claimants are appellants in cross Appeal Stamp No. 21274/2019. They tender on record terms of settlement for disposing of both the appeals. The same is taken on record and marked as 'Exhibit-X' for identification.

2. In view of terms of settlement, delay in preferring appeal by the Original Claimants, stands condoned. Office is directed to register the First Appeal Stamp No.21274/2019.

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

4. Parties before the Panel pray to dispose of the first appeals in terms of settlement at Exhibit-X.

5. In case of First Appeal No.205/2023, the amount shall be disbursed to the respondent no.1 to 4/Claimants in the proportion as prescribed by the judgment and order passed by the Tribunal.

6. In case of appeal filed by the Original Claimants, the respondent no.1/ICICI Lombard General Insurance Co. Ltd., shall deposit an additional amount of Rs.6,00,000/- (Rupees Six Lakhs only) towards full and final settlement of the claim before the Motor Accident Claim Tribunal, Aurangabad within a period of six weeks from today. The same shall be treated as an Undertaking.

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7. On depositing the amount, Appellant No.1/Rubeena shall be disbursed an amount of Rs.2,00,000/-. Appellant No.2 and 3 shall be disbursed an amount of Rs.1,00,000/- each and Appellant No.4/Bibi shall be disbursed an amount of Rs.2,00,000/-. The amount of minor appellant no.2 and 3 shall be invested in any Nationalized Bank in their name till they attain age of majority. On attaining age of majority, the amount invested alongwith accrued interest shall be disbursed to them.

8. Both the First Appeals are disposed of in terms of settlement at Exhibit-X and the minutes of the order passed today.

9. The court fees be refunded as per rules.

10. Award be drawn up accordingly.

11. Civil Application, if any 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.