



IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE KISHORE C. SANT,
HELD ON 27.07.2024
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE
AT AURANGABAD.

935 FIRST APPEAL NO. 1297 OF 2018
RAJEBHAU DYANOBA KALDATE
VERSUS
SHARDA ASHOK GARUD AND ORS

WITH
FIRST APPEAL NO. 5232 OF 2017
SHARDA ASHOK GARUD AND ORS.
VERSUS
RAJEBHAU DNYANOBA KALDATE AND ORS.

Mr.PS. Agarwal and Mr.PC. Mayure, Advocate for the appellants in respective matters.
Mr.Mohit R. Deshmukh, Advocate for the respondent-insurance company.

ORDER
[27th July, 2024]

01. First Appeal No. 5232 of 2017 is not on Board. Taken on Board.
02. These appeals are placed before us in today's National Lok Adalat. Appellant – Sharda and others are present in person along with their advocates. Learned Advocate Mr. M.R. Deshmukh is represented on authorization of Bajaj Allianz Insurance Company for the respondent – insurance company.
03. Both the parties submit that they have arrived at compromise and filed compromise pursis on record, which is marked “X” in First Appeal No. 5232 of 2017. As per the terms of the compromise the insurance company has agreed to pay enhanced compensation of Rs.3,50,000/- to the appellants

within a period of 45 days from the date of receipt of certified copy of the award. The appellants are entitled to receive enhanced compensation as per the terms of the award.

04. As per the terms of the compromise marked "X", in First Appeal No.1297 of 2018 the insurance company waives right of recovery of compensation from the owner Rajabhau Dnyanoba Kaldate. Accordingly, statutory amount of Rs.25,000/- deposited by the appellant in First Appeal No.1297 of 2018 are refunded to the appellant. He is entitled to receive Court fee refund as per rules.

05. The appeals are disposed off in terms of the compromise terms "X".

06. The Chairman/Member, MACT, Majalgaon, Dist. Beed to adjust the statutory amount and amount if any withdrawn earlier, in the amount of compensation and thereafter take necessary steps for making the payment.

07. The Court fee refund certificate be issued as per the provisions under the Maharashtra Court Fees Act, 1959.

08. The civil application/s, if any, stand/s disposed off.

[A.B.KADETHANKAR]
Advocate
Member

[S.G. SHETE]
District Judge (Retd.)
Member

[KISHORE C. SANT, J.]
Head of Panel