

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

FIRST APPEAL NO. 779 OF 2019

Smt. Sunita Sagar Daddanawar and Ors. ... Appellants

vs.

P. Thangaraj Nadar and Ors. ... Respondents

Adv. Sudhakar G. Thorat :-	Advocate for Appellants.
Adv. Rajesh Kanojia a/w. Adv. Prachi Pawar i/b. Res Juris :-	Advocate for Respondent No. 3.
Sunita Sagar Daddanawar :-	Appellant No. 1 present in Court.
Akkatai Kallappa Daddanawar :-	Appellant No. 4 present in Court.

CORAM : S. M. MODAK, J.

DATE : 3rd SEPTEMBER 2024

P. C. :-

1. Heard learned Advocate for Appellants / Claimants and learned Advocate for Insurance Company.
2. It is an Appeal for enhancement. Both have settled the matter. Consent terms are filed, taken on record and marked as Annexure-X. It

is signed by Appellant No. 1 for herself and as a guardian for children Opponent Nos. 2 and 3 and also signed by Appellant No. 4. Both of them are present and admitted contents. It is also signed on behalf of Insurance Company. Respective Advocates have also signed.

3. The amount awarded comes to Rs. 12,11,510/- (Twelve Lakh Eleven Thousand Five Hundred and Ten only). It is disputed. Now, both are agree for enhanced compensation to the tune of Rs.7,00,000/- (Rupees Seven Lakh only). It is to be paid on 3rd October 2024 through the Motor Accident Claim Tribunal, Jaysingpur [Tribunal]. The earlier compensation was to be distributed amongst Claimant proportionately. (Paragraph no. 4 in the Order dated 20th February 2014).

4. Both the Appellants are requested that Rs.1,00,000/- (Rupees One Lakh only) each be kept in Fixed Deposit for Appellant Nos. 2 and 3 and remaining Rs. 5,00,000/- (Rupees Five Lakh only) be distributed amongst Appellant No.1 - Rs. 3,00,000/- (Rupees Three Lakh only) and Appellant No. 4 - Rs. 2,00,000/- (Rupees Two Lakh only). Hence the following order :-

ORDER

- (i) Appeal is disposed of in view of consent terms.
- (ii) After deposit of amount, the Tribunal to apportion amount as mentioned above.
- (iii) Appellant No. 1 is entitled to withdraw the interest for Appellant Nos. 2 and 3.
- (iv) Refund of Court fee as per Rule.

[S. M. MODAK, J.]