

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE THE NATIONAL LOK ADALAT
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (STAMP) NO.13962 OF 2024
WITH
INTERIM APPLICATION NO.8750 OF 2024
IN
FIRST APPEAL (STAMP) NO.13962 OF 2024
WITH
INTERIM APPLICATION NO.8751 OF 2024
IN
FIRST APPEAL (STAMP) NO.13962 OF 2024

The Municipal Corporation of Gr. MumbaiAppellant

Versus

Arpita Bharat Shah & Ors.

....Respondents

Ms Swati Sawant, i/b. SK Legal Associates LLP, for the Appellant.

Mr SM Parab, for the Respondents.

CORAM : R.N. LADDHA, J.,
HEAD OF THE PANEL
H.M. BHOSALE, REGISTRAR,
(JUDICIAL-I), MEMBER
D.V. KUTE, DEPUTY REGISTRAR
PERSONNEL, MEMBER

DATE : 27th JULY, 2024.

P.C. :

. In this appeal, the appellant seeks to challenge the judgment and order dated 1 September 2023 passed by the Motor Accident Claims Tribunal, Mumbai, in Application No.256 of 2020, whereby the appellant was directed to pay Rs.75,66,000/- along with interest at the rate of 7% per annum towards compensation to the respondents.

2. Ms Swati Sawant, the learned Counsel appearing on behalf of the appellant and Mr SM Parab, the learned Counsel representing the respondents, in unison, submit that during the pendency of the appeal, the parties have settled the dispute amicably and executed consent terms dated 27 July 2024, which have been placed on record. The learned Counsel for the appellant submits that the appellant had deposited Rs.97,54,839/- before the competent Court and has no objection to the respondents withdrawing Rs.87,54,839/- towards the settlement of their claim. Further, the learned Counsel for the respondents submits that the respondents have agreed to settle their claim by accepting Rs.87,54,839/- and have no objection to the appellant withdrawing Rs.10,00,000/- deposited before the competent Court and Rs.25,000/- along with interest accrued thereon deposited before this Court towards statutory deposit. The consent terms are taken on record and marked as 'X' for identification.

3. Given the foregoing, the present appeal is disposed of in terms of the consent terms. As agreed between the parties, the sum of Rs.87,54,839/- deposited by the appellant before the competent Court is permitted to be released in favour of the respondents. Likewise, the appellant is permitted to withdraw the amount of Rs.10,00,000/- deposited before the competent Court and Rs.25,000/- along with the interest accrued thereon, if any, deposited before this Court.

4. In view of the disposal of the First Appeal, pending applications, if any, also stand disposed of.

5. Accordingly, the Court fees be refunded in accordance with the law.

(D.V. KUTE)
Deputy Registrar
(Personnel)
Member

(H.M. BHOSALE)
Registrar (Judicial-I)
Member

(R.N. LADDHA, J.)
Head of the Panel