



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 12831 OF 2024
IN FA/2320/2024**

**VIJAY PUNDLIK MAHAJAN
VERSUS
MANOJKUMAR KUNDAN MAHESHWARI AND ANR**

...
Advocate for Applicant : Mr. Shailesh Sudhakar Chapalgaonkar
Advocate for Respondent No.1 : Mr. M.M. Ambhore
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**CORAM : SHAILESH P. BRAHME, J.
DATE : 28th MARCH 2025**

PER COURT :

1. The Applicant is seeking modification of the order dated 27.07.2024 passed by the National Lok Adalat as well as amendment to the compromise terms.
2. This matter was placed before the Lok Adalat and the parties had produced terms of compromise before the Panel. After ascertaining the genuineness of the terms, the Panel passed order on 27.07.2024 disposing of the appeal in terms of settlement. It was agreed that the Applicant would be entitled to receive Rs. 64 Lakhs and the balance amount which was already deposited by the Respondent/Insurance Company was to be refunded to it. A typographical mistake cropped up and therefore the Applicant was unable to receive the amount.

3. Instead of going into technicality as to whether this Court can modify the order dated 27.07.2024 passed by the Panel of National Lok Adalat, I propose to consider the matter in view of the settlement between the parties which still subsists.

4. I have ascertained from respective Counsels of the parties regarding the fulcrum of the settlement between them. On instructions as well as considering the letter dated 26.07.2024 issued by the competent authority of the Insurance Company, I find that there is no controversy between the parties. The terms of settlement are very clear and properly conceived by the parties. As per those terms, the Applicant is to receive Rs.64 Lakhs out of the amount deposited by the Insurance Company in the High Court and the balance amount is to be refunded to the Insurance Company. The parties are unanimous for these terms today also. Therefore I do not find that it is necessary to relegate the parties to any other forum.

5. As the appeal is already disposed of by the Panel of Lok Adalat, the technical impediment stands removed by this minutes of the order by permitting the Applicant to withdraw Rs.64 Lakhs from the amount already deposited and balance amount be refunded to the Insurance Company.

6. The Civil Application is allowed party.

7. The Applicant shall receive an amount of Rs.64,00,000/-

(Rupees Sixty Four Lakhs) and balance amount with accrued interest be refunded to Insurance Company.

8. Office to act on minutes of the order.

SHAILESH P BRAHME
JUDGE

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