



**BEFORE THE NATIONAL LOK ADALAT HELD AT HIGH COURT OF
BOMBAY
BENCH AT AURANGABAD**

Organized by High Court Legal Services Sub-Committee,
Aurangabad under Section 19 of the Legal Services Authorities
Act, 1987 (Central Act)

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**28 FIRST APPEAL STAMP NO. 41212 OF 2017
WITH CIVIL APPLICATION NO. 160 OF 2018 AND
WITH CIVIL APPLICATION NO. 161 OF 2018**

**BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD., THR ITS
BRANCH MANAGER, AURANGABAD**

VERSUS

USHA GANGADHAR SAKE AND ORS

....

Mr. Mohit R. Deshmukh, Advocate for the Applicant / Appellant
Insurance Company

Mr. Pawan K. Lakhotiya, Advocate for Respondent Nos. 1 to 5

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**HON'BLE SHRI JUSTICE Y. G. KHOBRAGADE
(Head of the Panel)**

**Shri Kishor R. Chaudhari
(Retired District Judge)**

**Shri Avinash R. Borulkar, (Advocate),
(Member)**

A W A R D

1. The dispute between the parties having been referred
for determination to the Lok Adalat.

2. The appellant Insurance Company, though its counsel Mr. Mohit R. Deshmukh, who is authorized to sign the terms of compromise on behalf of the appellant Insurance Company under the authority letter dated 10.12.2025, issued by Mr. Irfan Shaikh, Authorized Signatory.

3. Respondent Nos. 1 to 5 are personally present.

4. The appellant and respondent Nos. 1 to 5, have jointly filed compromise pursis, which is taken on record and marked "X" for identification.

5. By the present appeal, the appellant - Insurance Company takes exception to the judgment and award dated 28.07.2017, passed by the learned Member, Motor Accident Claims Tribunal, Beed, in M.A.C.P No. 266 of 2011, whereby the respondents / claimants are held entitled to receive compensation of Rs. 14,55,000/- inclusive of no fault liability with interest at the rate 8% p.a. from the date of institution of the petition i.e. 19.11.2011 till its realization. It is further directed the appellant Insurance Company to pay the claim amount and to recover the same from the owner i.e. original present respondent No.6 / original respondent No.1. The appellant /

Insurance Company, deposited the entire amount of compensation along with interest in this Court.

6. Today, the appellants and the claimants have filed joint pursis Exhibit-“X” and agreed that the claimants would waive Rs.1,00,000/- without any interest and said amount would be refunded to the appellant / Insurance Company out of the amount of compensation deposited in this Court and remaining amount would be withdrawn by the claimants with accrued interest in apportionment.

7. The respondents / claimants are agreed that the entire amount of compensation be deposited in the account of claimant No.4 Vithal Kondiba Sake, who has maintained the account with State Bank of India, Georai Branch, District Beed. Therefore, rest of the amount be transferred in the account of respondent / claimant No.4 Vithal Kondiba Sake along with accrued interest till date.

8. Accordingly, the Appeal is disposed of. All pending civil applications are also disposed of.

9. Award be drawn accordingly.

10. The parties are informed that the Court fees, if any, paid by any of them shall be refunded.

A. R. Borulkar
Member

Kishor R. Chaudhari
Retired District Judge

Y. G. Khobragade, J.
Head of the Panel

Date:- 13.12.2025

Place: Aurangabad

SMS