

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

FIRST APPEAL NO. 833 OF 2024

Reliance General Insurance Co. Ltd.,
Mumbai

.... Appellant

V/s.

Sunil Udaykant Thakur and anr.

.... Respondents

Mr. Akshay Kulkarni for the Appellant.

Mr. Rohit Prasad, Officer of the Appellant – Insurance Company,
present in person.

Mr. T.R. Kale i/b. Mr. T.J. Mendon for Respondent No.1.

CORAM : SHRI. SHYAM C. CHANDAK, J.
(HEAD OF THE PANEL)

SHRI. S.H. GWALANI,
JUDGE, CBI, COURT,
CITY CIVIL COURT, MUMBAI
(MEMBER)

SHRI. R.V. WANWADI,
DY. REGISTRAR, INSPECTION
(MEMBER)

DATE : 10th MAY, 2025

P.C. :-

. Mr. Akshay Kulkarni, learned Advocate for the Appellant, Mr. Rohit Prasad, Officer of the Appellant – Insurance Company and Mr. T.R. Kale, learned Advocate for Respondent No.1 are present and tendered Consent Terms. They stated that the dispute between the parties is settled as per the Consent Terms and the present Appeal may be disposed of as per the Consent Terms.

- 2) The Consent Terms are duly signed by the parties and their respective Advocates. The Consent Terms are read and recorded and marked as 'X'.
- 3) The Appeal is disposed of as compromised in terms of the Consent Terms.
- 4) Award be modified and drawn according to the Consent Terms.
- 5) Pending Application/s, if any, stand disposed of in view of disposal of the Appeal.
- 6) Statutory deposit, if any, be transferred to the Tribunal.
- 7) Court fee, if any, be refunded as per Rules.
- 8) The Consent Terms shall form part and parcel of this Order.

(SHRI. R.V. WANWADI)	(SHRI. S.H. GWALANI)	(SHRI. SHYAM C. CHANDAK, J.)
MEMBER	MEMBER	HEAD OF THE PANEL

PREETI
HEERO
JAYANI

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by PREETI
HEERO JAYANI
Date: 2025.06.09
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Se. No. 177

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 833 OF 2024
IN
M.A.C.T. No. 1479 of 2016

20

Reliance Gen. Ins. Co. Ltd
V/s
Sunil Udaykant Thakur & others

Dist:-Mumbai
Appellant
Respondents

Consent Terms

1. The above Appeal is filed by Reliance Gen. Ins. Co. Ltd challenging the judgment and award dtd.25.03.2023 passed by the Learned Member M.A.C.T at Mumbai in claim Application No.1479 of 2016.
2. By the said judgment the learned Member directed the Appellant to pay a sum of Rs. 13,63,621/-with interest @ rate of 7% per annum from the date of application till the realization.
3. Being aggrieved by the judgment of M.A.C.T.at Mumbai filed First Appeal being F.A. No. 833 of 2024 before the Hon'ble High Court at Bombay and also filed an application for stay of the Execution of the impugned judgment.
4. The Hon'ble High Court was pleased to stay the impugned judgment and award with condition on depositing the the entire amount due and payable under the award before the M.A.C.T at Mumbai, the Appellant had accordingly deposited an amount Rs. 20,54,429/- before the M.A.C.T at Mumbai.
5. The Appellant and the Respondent No.1 have negotiated and discussed the above matter for amicable settlement to avoid the stream lined litigation and agreed to settle the entire claim on following terms.

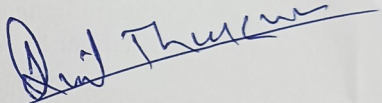
Sunil Thakur

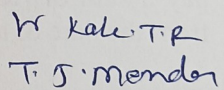
Reliance

6. That from the aforesaid deposited amount of Rs.20,54,429/-, the Respondent No.01 (Original Claimant) is entitled to withdraw an amount of Rs.18,00,000/- (Rupees Eighteen Lakh only), *inclusive of amount already withdrawn by Resp. No.1/orig. claimant.*
7. That from the aforesaid deposited amount of Rs.20,54,429/-, the Appellant (insurer) shall be entitled to withdraw the remaining balance amount.
8. The Respondent No.1 will not claim any amount as compensation from the Opp. Party i.e., Respondent No. 2 herein and the settlement is full and final.
9. In view of the above the judgment and award dated.11.03.2016 may be modified accordingly.
10. The Appellant shall be entitled to be refund of Court Fees as per rules.
11. The Award to be modified accordingly.


Appellant
Mr. Rohit Poasad.


Advocate for Appellant


Respondent No.1


Advocate for Respondent No.1