

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

**FIRST APPEAL (ST.) NO. 36285 OF 2024
WITH
INTERIM APPLICATION NO. 6747 OF 2025
WITH
INTERIM APPLICATION NO. 6748 OF 2025
IN
FIRST APPEAL (ST.) NO. 36285 OF 2024**

The Municipal Corporation of Gr. Mumbai Appellant

V/s.

Santosh Prabhu Sawant Respondent

Ms. Swati Pawar a/w. Mr. Vaibhav Bane i/b. S.K. Legal for the Appellant.
Adv. Amrin A. Khan for the Respondent.

Mr. Sayaji Dadasaheb Waghmode, Officer of the Appellant, present.

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

SHRI. G.P. DESHMUKH,
OSD at CPC
(MEMBER)

SHRI. VISHAL A. SATHE,
OSD at Central Project Co-ordinator
(MEMBER)

DATE : **13th SEPTEMBER, 2025**

P.C. :-

. Learned Counsel for the respective parties tendered the Consent Terms dated 13th September, 2025. They stated that the dispute between the parties is settled and the present Appeal may be disposed of as per the Consent Terms. Ms. Amrin Khan, learned Counsel undertakes to file her *Vakalatnama* on behalf of the Respondent. Said statement is accepted as an undertaking to the Court.

- 2) The Consent Terms are signed by the parties and their respective Advocates. The Consent Terms are read and recorded. The Consent Terms are taken on record and marked as 'X'.
- 3) As stated in the Consent Terms, the Appellant was to deposit an amount of Rs.9,08,712/- towards the Award passed by the Tribunal and as directed by this Court. As per the Consent Terms, the Respondent has agreed to accept Rs.7,58,712/- towards full and final settlement of the claim and to waive the balance amount of Rs.1,50,000/-. The Appeal deserves to be disposed of as compromised in terms of the Consent Terms.
- 4) Hence, following Order is passed.
- 5) The impugned Award is modified as under :-
 - (a) The Appellant shall pay Rs.7,58,712/- to the Respondent towards full and final settlement of the claim filed by the Respondent against the Appellant.
 - (b) Ms. Swati Pawar, learned Counsel for the Appellant states that the said amount will be deposited before the MACT, Mumbai within four weeks from the date of uploading of this Order. The said statement is accepted as an undertaking to the Court.
- 6) The Appeal stands disposed of as compromised in terms of the Consent Terms.
- 7) Award be drawn accordingly.
- 8) Pending Application/s, if any, stand disposed of in view of the disposal of the Appeal.

- 9) Statutory deposit, if any, with the accrued interest shall be transferred to the Tribunal for its refund.
- 10) Court fee, if any, be refunded as per Rules.
- 11) The Consent Terms shall form part and parcel of this Order.

(SHRI. VISHAL A. SATHE)	(SHRI. G.P. DESHMUKH)	(SHRI. SHYAM C. CHANDAK, J.)
MEMBER	MEMBER	HEAD OF THE PANEL

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Coram: Justice Shyam C Chandak
National Lok Adalat

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THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 36285 OF 2024

IN

MACT APPLICATION NO. 590 of 2019

(Against The Judgment and Order dated 6th April, 2024, passed by The
Hon'ble Motor Accident Claims Tribunal Mumbai)

The Municipal Corporation of Gr. Mumbai,)

Through the General Manager)

BEST Undertaking, Electric House, Colaba)

Mumbai-400 001.)

...Appellant

(Org. Opposite Party)

VERSUS

Santosh Prabhu Sawant)

Aged 38 years,)
residing at Jay Malhar Chawl,)
Ambujwadi, Azad Nagar, Gate No. 8,)
Malwani, Malad (W), Mumbai-400095) ...Respondent
(Orig. Applicant)

Coram : His Lordships Mr. Justice Shyam Chandak

Date : 13th September, 2025.

CONSENT TERMS

In view of settlement of the aforesaid matter in National Lok Adalat, before the Hon'ble High Court it is hereby agreed BY AND BETWEEN THE PARTIES i.e. the Appellant (BEST Undertaking) and the Respondent that:-

1. The Appellant have preferred Appeal against the Judgment & Award passed by the Hon'ble Tribunal MACT Mumbai dt. 6th April, 2024, allowing compensation of Rs. 6,42,400/- along with interest @ 7.5% p.a. and cost.
2. The Appellant have to deposit amount of Rs. 9,08,712/- (Rupees Nine Lakhs Eight Thousand Seven Hundred and Twelve Only) (inclusive of NFL, Interest and Cost) in pursuance of the Order dated 9th April, 2025, passed by this Hon'ble High Court.

3. The Appellant and Respondents have discussed the said First Appeal and have come to amicable settlement whereby the Respondent is waiving lumpsum amount of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only) from the total amount of Rs. 9,08,712/-.
4. The Appellant shall deposit the balance amount of Rs. 7,58,712/- (Rupees Seven Lakhs Fifty Eight Thousand Seven Hundred Twelve Only) which is the amount of full & final settlement of the claim against the present Appellant and original Opp.Party.
5. The Appellant shall withdraw the amount of Rs. 25,000/- deposited in Hon'ble High Court under Statutory Deposit with accrued interest, if any.
6. This Hon'ble Court be please to refund the Court fees paid by the Appellant herein while preferring above First Appeal before this Hon'ble Court as per law.
7. The Respondent will accept the aforesaid amount as full and final settlement and no claim/interest or any pending dues of whatsoever nature in the matter will be raised by Respondent or any of his/her heirs and legal representatives in future.

8. The First Appeal along with & Civil Application for stay and Delay is disposed off on the aforesaid terms.

9. No order as to costs.

Dated this th 13 Day of September, 2025.



Appellant

[Signature]
13/09/2025
AAM (Claims)

for S. K. Legal Associates LLP

[Signature]
Advocates for Appellant

Respondent

[Signature]

[Signature]
Advocate for the Respondent