IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (CAF) NO. 903/2026
IN
FIRST APPEAL NO. 1094/2016 (D)

National Insurance Company Limited, Akola
Vs.
Smt. Shubhangi wd/o. Ashish Ghurde and Ors.

....

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's order

....

Mr. V. P. Maldhure, Advocate for Appellant.
Mr. S. D. Chopde, Advocate for Respondent Nos.1 to 3.

CORAM : NEERAJ P. DHOTE, J.
DATED : 23.03.2026

1. This is the Application by the Claimants for correction in the order dated 13.12.2025 passed in the Lok-Adalat.

2. It is submitted by the learned Advocate for the Claimants that, in the Form 'N' which was submitted under the signatures of both the parties and the Advocates, it was agreed that the Insurance Company will withdraw Rs.5,00,000/- and the balance amount with accrued interest will be paid to the Claimants. It is submitted that, in the Award passed by the learned Panel of the Nation Lok-Adalat, the amount of accrued interest is directed to be refunded with the amount of Rs.5,00,000/- to the Insurance Company instead of the Claimants. He submits that, this appears to be A typographical error and the same be corrected.

3. The learned Advocate for the Insurance Company do not dispute the contents of Form 'N' which was

submitted before the Lok-Adalat. He submits that, an appropriate order be passed.

4. The contents of Form 'N' read as under :

> *"The Appellant National Insurance Company has preferred the present appeal challenging the award dated 19/06/2025 passed by the MACT, Akola in the CP No.171/2010 on the ground of quantum. The Appellant i.e. Company and Respondents have amicably settled the dispute out of court. On the following terms that out of the award amount deposited in this court the respondents have agreed to waive Rs.5,00,000/- (Five lacs rupee only) which the insurance company is liable to withdraw and the balance amount with accrued interest to be paid to the Claimants."*

5. The order by the Lok-Adalat Panel reads as under :

> *"1. The matter is taken up before the Lok-Adalat.*
>
> *2. The appellant – National Insurance Company and the respondents have amicably settled the matter as per the terms of the compromise pursis filed on record.*
>
> *3. Out of the total amount deposited by the Insurance Company in the High Court, an amount of Rs.5,00,000/- along with accrued interest be refunded to the Insurance Company, and the remaining amount with accrued interest thereon be paid to the respondents.*
>
> *4. As per request of claimant (Respondent) amount of their share be sent to MACT, Akola, for disbursement in terms of Award of Tribunal.*
>
> *5. Court fees be refunded as per the Rules."*

6. It is not in dispute that, this Appeal was preferred by the Insurance Company before this Court and this Court had referred the matter to be placed before the National Lok-Adalat and that is how the same was placed before the National Lok-Adalat. The said order is of 13.12.2025. It is clear that, the order is not in consonance with the agreed terms and conditions mentioned in Form 'N'. No prejudice will be caused to any side if the Application is granted. Hence, the following Order :

<u>ORDER</u>

i] The Application is allowed.

ii] The amount of accrued interest be dealt with as per the agreed terms and conditions mentioned in Form 'N'.

iii] The Application stands disposed of accordingly.

(NEERAJ P. DHOTE, J)

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