

MHAH010066352022



Motor Accident Claim Petition no. 446/2022

(Shobha Dilip Garje & Ors. Vs. Balasaheb Ramesh Kothule & Ors.)

Order passed below Exh. no. 1

1. With the consent of parties, this claim petition is taken up before today's National Lok-Adalat.
2. The claimants and their advocate are present. The authorised person of opponent No.2 Insurance company is present alongwith its advocate. Both parties are identified by their respective advocates.
3. Both parties jointly filed compromise memo Exh.17 and submitted that they have amicably settled their dispute in view of the terms mentioned in said compromise memo. As per the same, the claimants and opponent No. 2 Insurance Company have compromised the claim for Rs. 5,25,000/- (Rs. Five Lakhs Twenty Five Thousands only) inclusive of NFL amount. Both of them assured that they will act upon the terms of said compromise memo.
4. The claimants have given up the claim against rest of the opponents. In the result, I pass following order.

ORDER

1. The claim petition is allowed in view of terms of compromise memo **Exh. 17**.

2. The opponent no. 2 Insurance Company is hereby ordered to pay the compensation amount of **Rs.5,25,000/- (Rs. Five Lakhs Twenty Five Thousands only)** inclusive of NFL amount to the claimants through the account payee cheque/ RTGS/NEFT as per **apportionment order given below :**
 - (i) The claimant no.1 be paid **Rs.3,25,000/- (Rs. Three Lakhs Twenty Five Thousands only)**. Out of the same, **Rs.2,25,000/- (Rs. Two Lakhs Twenty Five Thousands only)** be kept in Fixed Deposit in her name for the period of **three years** in any Nationalized bank of her choice.
 - (ii) The claimant nos.2 to 5 be paid **Rs.50,000/- (Rs.Fifty Thousands only) each.**
3. The claim petition stands disposed-off against the opponent nos. 1 & 3.
4. No order as to costs.
5. The court fees, if any, paid by the claimants be refunded as per rules and if not paid then the same shall not be recovered from the claimants.
6. Award be drawn up in view of terms of compromise memo.

Date : 14/12/2024.

(Makarand R. Mandawgade)
Head of the Panel no.4 of
National Lok Adalat, Ahmednagar.