

Order Below Exhibit - 1

M.A.C. PETITION NO.45 / 2019

1. Parties have produced Compromise pursis at Ex.10. As per order passed below Compromise Pursis, the same is recorded and accepted.
2. The claimant/s and Insurance Company have entered into compromise settling the claim to the tune of Rs.1,05,000 /-. The Compromise Pursis produced by the parties is read over to them. Thus, this Tribunal is of the opinion that the settlement arrived between the parties is legal and within the purview of subject matter of the claim petition and also in the interest of claimant/s. The compromise is, therefore, recorded in exercise of the powers conferred under Order-23 of the Civil Procedure Code. Hence, following order is passed:

ORDER

1. Opponent No.2 – Insurance Company is hereby directed to deposit the above amount of **Rs.1,05,000/- (Rupees One Lac Five Thousand only)** in the office of this Tribunal towards full & final compensation as settled in this claim petition.
2. The office shall not deduct or recover the amount of Court fees from the awarded amount deposited with this Tribunal, as the matter is compromised in Lok-Adalat.
3. Court Fee refund Certificate, as the case may be, be issued in the name of the claimant / Ld. Advocate appearing on behalf of claimant, if he has paid Court fees, if any.
4. As this decision arrived upon the compromise between contesting party without examining merit of each one's case, it would not operate as resjudicata in any other claim petition, arising from very same vehicular accident.
5. Opponent Insurance Company is hereby directed to scrupulously follow the direction for T.D.S. given by Hon'ble High Court of Gujarat in 2007 ACJ, 1897
6. Disbursement order shall be passed after award amount is deposited.
7. In view of the above, the present claim petition stands disposed of accordingly as compromised in **Lok-Adalat**.

Place : Vadodara.

Date:- 13/07/2019.

(Kamal Mohanlal Sojitra)
M.A.C.Tribunal (Auxi.)
Vadodara.
(Code No.GJ01494)