



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

FIRST APPEAL (ST) No. 21043 OF 2015

MANISH
SURESHRAO
THATTE

National Insurance Co. Ltd.
Through Its Mumbai Regional
Office-Ii

...Appellant

Versus

Smt. Utchimakali Subbiah @
Subhash and Ors.

...Respondents

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MANISH
SURESHRAO
THATTE
Date: 2026.05.18
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WITH
CIVIL APPLICATION No. 4195 OF 2015

WITH
CIVIL APPLICATION No. 4194 OF 2015

Adv. Anuradha Kumbhar for the Appellant.

Mr. Niketan Nakhawa a/w R.M. Pawar for the Respondent Nos. 1 to 3

CORAM : AARTI SATHE, J.
(Head of the Panel)

G.P.DESHMUKH
(OSD AT CPC)

G.G.BHALCHANDRA
(OSD, e-HCR/BDLR)

DATE : 9th May 2026

PC.

1. Heard learned counsel for both the parties.
2. The aforesaid matter stands settled in view of the Consent Terms dated 9 May 2026 which were tendered in Court today. The same is taken on record and marked as Exhibit "X" for identification.



B. It is expressly agreed that the Appellant is entitled for a refund of the principal amount of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) without interest.

C. As the Respondent No.4, the mother of deceased and grandmother of the Respondent no.2^{2 3} expired on 19/02/2024 during the pendency of this First Appeal. The Respondent no.1 to 3 have agreed to distribute the share of the Respondent No.4 - equally both between the Respondent Nos.2 and 3, being the grandchildren of the Respondent No.4. Hereto annexed and marked Exhibit - A is a copy of the death certificate of Respondent no.4, issued on 14/08/2024 by the Government of Tamil Nadu. The Respondent Nos.2 and 3 undertake that they will utilize the said amount for their education and welfare purpose.

D. On account of death of Subbiah alias Subhash Chelliah in accident dated 23-12-2008, the Respondents no.1 to 3 undertake that they individually or jointly and or any person through them will not initiate any other proceedings for any compensation amount in this regard before any Hon'ble court against this Appellant under the MACP no. 583 of 2010. The Respondent 1 to 3 are ready and willing to sign the consent terms of their free will & own consent on the said terms and



undertake to abide by the same. The Respondent no.1 to 3 undertakes to withdraw the execution proceedings pending before the MACT Pune.

- E. This Hon'ble High court be pleased to pass an order of refund of the statutory deposit amount to the Appellant;
- F. This Hon'ble High court be pleased to pass an order of refund of court fees to the Appellant in pursuance to the consent terms.
- G. The First Appeal (St). No. 21043 of 2015 may be disposed-off in terms of consent terms along with all the Civil Applications pending before this Hon'ble Court.


The above Consent Terms are filed on this 9th day of May, 2026.

Hansheda Pans
Advocate for Appellant

NLN
Advocates for Respondent Nos.1 to 3.

R.M. Pawar
Adv. R. m. Pawar

Anuradha Kumbhar
Appellant.
Anuradha Kumbhar
D. M.



S. P. Subbiah
Respondent No.1
Smt. Utchimakali Subbiah

S. P. Subbiah
Respondent No.2
Saranya Subbiah @Subhash

Ranjith Kumar Subbiah
Respondent No.3
Ranjith Kumar Subbiah @Subhash

4. In view of the aforesaid, the Appeal stands disposed of in terms of the Consent Terms dated 9 May 2026. The scanned copy of the consent



terms dated 9 May 2026 is annexed to this order. The parties are directed to act upon the authenticated copy of this order. The appeal is accordingly disposed of in the above terms. No costs.

5. The Court fee refund, if any, be made in accordance with the applicable rules and statutory provisions. Proceedings be remitted back to the jurisdictional Court if required.

6. Any pending civil applications as well as interim applications, if any, do not survive in view of the aforesaid order and accordingly stand disposed of.

(G.G.BHALCHANDRA)
(OSD, e-HCR/BDLR)

(G.P.DESHMUKH)
(OSD AT CPC)

(AARTI SATHE, J.)
(Head of the Panel)