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FAO NO.1987 OF 2012

1. VERSHA SHARMA AGED ABOUT 25 YEARS, WD/O LATE SH. MANMOHAN LAL.

2. PUSHKAR SHARMA, AGED ABOUT 4 YEARS,

3. PARANSHU SHARMA, AGED ABOUT 3 YEARS. (MINOR SONS OF LATE SH. MANMOHAN LAL UNDER THE GUARDIANSHIP OF THEIR MOTHER SMT. VERSHA SHARMA W/O LATE SH. MANMOHAN LAL SHARMA, WHO IS THE NATURAL GUARDIAN AND NEXT FRIEND OF THE MINORS).

4. SMT. SUDESH RANI, AGED ABOUT 55 YEARS W/O SH. SHIV PAL SHARMA, M/O THE DECEASED MANMOHAN LAL.

THE APPELLANTS NO.1 TO 4 ARE LEGAL HEIRS/LEGAL REPRESENTATIVE OF MANMOHAN LAL S/O SHIV PAL SHARMA, R/O MUBARIKPUR CAMP, TEHSIL DERA BASSI, DISTRICT PATIALA.

ALL RESIDENTS OF MUBARIKPUR CAMP. TEHSIL DERA BASSI, DISTRICT PATIALA.

V/S

1. JAWINDER SINGH S/O GURDEV SINGH, R/O VILLAGE AND P.O. KILLA RAIPUR, P.S. DEHLON, TEHSIL AND DISTRICT LUDHIANA (OWNER OF BUS NO.PB-10K-9955).

2. HARBANS SINGH S/O NOT KNOWN, R/O VILLAGE KABADI NEAR VILLAGE BHATTAN, TEHSIL DEHLON, DISTRICT LUDHIANA (DRIVER OF BUS NO.PB-10K-9955).

3. NEW INDIA ASSURANCE COMPANY, BR. OFFICE BHARAT NAGAR, LUDHIANA THROUGH ITS DIVISIONAL MANAGER, DIVISIONAL OFFICE, PATIALA. (INSURER OF BUS NO.PB-10K-9955).

4. KULWINDER SINGH S/O SH. MEHAR SINGH, R/O 163, NARESH VIHAR, BHEL ROAD, AMBALA CITY AT PRESENT R/O VILLAGE AND P.O. BHANKARPUR, TEHSIL DERA BASSI, DISTRICT PATIALA (OWNER OF EICHER CANTER NO.HR-37-1387).

5. THE ORIENTAL INSURANCE COMPANY LIMITED THROUGH ITS DIVISIONAL MANAGER, DIVISIONAL OFFICE NO.111, SCO-10A, 1ST FLOOR, SECTOR 7-C, MADHYA MARG, CHANDIGARH (INSURANCE COMPANY OF EICHER CANTER NO.HR-37-1387).

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Present: Mr. Hitesh Kumar Sammi, Advocate for the appellants.

Mr. Vinod Gupta, Advocate for New India Assurance Co. Ltd.

Ms. Madhu Sharma, Advocate for Oriental Insurance Company Ltd.

As agreed, as per statements of learned counsel for the appellants as well as counsel for the Insurance Companies, separately recorded, a sum of ₹30,000/- (₹15,000/- each is liable to be paid by both Insurance Companies) over and above the amount awarded by the Tribunal is allowed to the appellants in full and final settlement of the claim. Two months' time is allowed to the Insurance Companies to deposit the amount with the MACT, Patiala, failing which, interest at the rate of 9% per annum shall follow on this amount till payment from the date of this order. The enhanced amount be paid to appellant No.1 through cheque or be deposited in her Bank Account.

The appeal is disposed of accordingly.

Copy of this order be supplied/sent to the counsel/parties.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

September 09, 2015
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