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FAO NO.5383 OF 2012

**1. SHAMSHIDA, AGED 33 YEARS, W/O LATE ISRAR,
2. SAHIL KHAN, AGED 8 YEARS, MINOR SON OF LATE ISRAR,
3. MUBARIK KHAN, MINOR SON OF LATE ISRAR,
4. ANIS, AGED 4 YEARS MINOR SON OF LATE ISRAR,
MINOR APPELLANTS 2 TO 4 THROUGH THEIR REAL MOTHER AND
NATURAL GUARDIAN, SMT. SHMSHIDA,
ALL RESIDNETS OF VILLAGE CHHOTA BANS, RADAUR, P.S. RADAUR,
TEHSIL JAGADHRI, DISTRICT YAMUNANAGAR.**

V/S

**1. HARVINDER SNGH S/O SH. SWARAN SINGH, R/O VILLAGE
MUSSIMBLE, TEHSIL, JAGADHRI, DISTRICT YAMUNANAGAR. (DRIVER
OF THE TRACTOR BEARING NO.HR-58-8975).
2. GENERAL MANAGER, HARYANA ROADWAYS, YAMUNANAGR. (OWNER
OF THE TRACTOR BEARING NO.HR-58-8975).
3. THE NEW INDIA ASSURANCE COMPANY LIMITED THROUGH ITS
M.D./G.M., MUMBAI, MAHARASHTRA. (INSURER OF THE TRACTOR
BEARING NO.HR-58-8975).**

Present: Mr. Balkar Singh, Advocate for the appellants.

Mr. Vinod Gupta, Advocate for the Ins. Co.

As agreed, as per statements of learned counsel for the appellants as well as counsel for the Insurance Company, separately recorded, a sum of Rs.2,10,000/- 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 Company to deposit the amount with the MACT, Yamunanagar at Jagadhri, 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**

August 20, 2015

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