

FAO No.271 of 2015

Harjinder Kaur and others Vs. Shivaji Rao and others

Present: Mr. Ajay Kumar Sharma, Advocate
for the appellants.

Mr. M.B. Jain, Advocate with
Mr. Sachin Ohri, Dy. Manager
for the Bajaj Allianz General Insurance Company.

Mr. Vinod Gupta, Advocate
for New India Assurance Company.

There has been a reference on the previous date of hearing on 5.12.2015 that the amount settled was at ₹2,35,000/-. However, both the counsel appearing on behalf of the claimants as well as insurance company agree that the amount settled was ₹2,75,000/- and the amount stated as ₹2,35,000/- is a mistake. There shall be, therefore, an award of ₹2,75,000/- in full quit of all claims against the insurance company. Out of the said sum, ₹1 lac shall be paid to the widow and balance shall be paid equally to the remaining persons.

Appellants Nos.1, 2 and 4 are present and the 3rd appellant is reported to be having a personal difficulty and hence, unable to come. All the persons state before me that the amount is acceptable to them. They have also affixed their signatures in the original papers of the presence and acceptance of the award. The liability will be split equally between the insurance companies as determined by the Tribunal.

The insurance company shall deliver the cheques in the name of appellants within a period of two weeks from today or at the option of the claimants/appellants on production of the bank account numbers, the amount shall be deposited in their respective bank accounts within a

period of two weeks from the date when the account numbers are given.

If the amount is not paid within the time as stipulated, it will also attract a liability of interest @9% per annum.

The appeal stands disposed of on the above terms.

(K. KANNAN)
JUDGE

December 12, 2015
Pankaj*