Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Misc. Appeal (C) No. 80 OF 2014

APPELLANTS : 1. Smt. Sumitra Paikra, W/O. Late Tansen Singh, Aged about 24 Years. (***Wife of the Deceased***)

CLAIMANTS

2. Kumari Reshma, D/o. Late Tansen Singh, Aged About- 03 Years. (***Daughter of the Deceased***)

3. Kumari Ritika, D/o. Late Tansen Singh, Aged About- 01 Year. (***Daughter of the Deceased***)

A.No. 80/14
Presented by Shri R.K. Jaiswal
dated 17.01.14

Appellants No. 2 & 3 are minors and are represented through their Natural Guardian (mother) namely Smt. Sumitra Paikra.

All the Appellants are Kanwar by caste and are R/o. Village & Post- Kunkurikala, P.S. Batauli, Tehsil- Batauli, Revenue & Civil District- Sarguja (C.G.).

VERSUS

RESPONDENTS : 1. Vinay Kumar Gupta, S/O. Kapil Prasad
NON-CLAIMANTS Gupta, R/o. Main Road Tapkara, Post-Tapkara, Tehsil & P.S. Kunkuri, Revenue & Civil District- Jashpur (C.G.).
(***Owner of the Offending vehicle Bus No. C.G. 14 G/ 0116***)

2. Satya Ram, S/o. Pito Ram, Aged About-29 Years, R/o. Village & Post- Daltoli Pharsabahar, Tehsil & P.S. Kunkuri, Revenue & Civil District- Jashpur (C.G.).
(***Driver of the Offending vehicle Bus No. C.G. 14 G/ 0116***)

3. Branch Manager, The Oriental Insurance Company Limited, Branch Manager M.G. Road, P.S. & Tehsil- Ambikapur, ~~Revenue & Civil~~ District- ~~Bilaspur~~ Sarguja (C.G.).
(***Insurance Company of the Offending vehicle Bus No. C.G. 14 G/ 0116***)

CLAIMANTS 4. Dubey Ram, S/o. Salgu Ram, Aged About- 40 Years,
(***Father of the Deceased***)

4 (1)

5. Smt. Gangotri, W/o. Dubey Ram, Aged About- 38 Years,

(***Mother of the Deceased***)

Respondents No. 4 & 5 are Kanwar by Caste and are R/o. Village & Post- Kunkurikala, P.S. Batauli, Tehsil- Batauli, Revenue & Civil District- Sarguja (C.G.).

APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT.

CHHATTISGARH HIGH COURT, BILASPUR

NATIONAL LOK ADALAT

Judge - Lok Adalat : **Hon'ble Mr. Justice Goutam Bhaduri**
Member - Lok Adalat : **Dr. N.K. Shukla, Sr. Advocate**

M.A.C. No. 80 of 2014

Smt. Sumitra Paikra & Ors. : **---- Appellants**

Versus

Vinay Kumar Gupta & Ors. **-- Respondents**

For Appellants - Shri Rishi Sahu, Advocate.
For respondent/Ins. Co. - Shri Ratan Pusty, Advocate.

ORDER

(Passed on 14th May, 2016)

1. The contesting parties to this appeal have amicably settled/compromised the dispute, which is subject matter of this appeal, voluntarily. We have also found that the terms and conditions of compromise/settlement arrived at between the contesting parties are just, proper and legal. There is no legal impediment to compromise and hence are acceptable. We accordingly accept the compromise/settlement, proposed by the parties and order that the respondent/insurance company shall pay Rs.3,00,000/- by way of compensation in addition to the amount awarded by the Learned Tribunal to the appellants within 60 days from today, otherwise interest @ 12% per annum from the date of filing of the claim petition, shall also be payable till its realization.

2. It is further observed that the enhanced amount shall be ratably distributed among the beneficiaries and the compensation amount with respect to the minor appellant No.2 Kumari Reshma and minor appellant No.3 Kumari Ritika shall be kept in the form of fixed deposit in any Nationalized Bank, which would be renewable and would be payable on attaining the age of majority.

Sd/-

(Goutam Bhaduri)
Judge -Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-

(Dr. N.K. Shukla)
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

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