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FAO No.1739 of 2014

Kamla and ors. Vs. Vinod Kumar and ors.

Present: Mr.J.P.Sharma, Advocate for the appellants.

Mr.Ashwani Talwar, Advocate, with
Mr.Dinesh Jindal, Sr. Executive (Legal),
Reliance Gen. Ins. Co. Ltd. - respondent No.3.

* * * * *

Vide order dated 05.04.2016, on behalf of the appellants, proposal was made to enhance compensation by ₹2,00,000/- over and above the amount awarded by the MACT in full and final settlement of the claim in this appeal and the matter was adjourned for concurrence of the respondent - Insurance Company.

Today, learned counsel and representative of respondent No.3 – Insurance Company state that Company is agreeable to pay only an amount of ₹1,30,000/- and not ₹2,00,000/- over and above the amount awarded by the MACT. This counteroffer of ₹1,30,000/- has been accepted by learned counsel for the appellants, who has signed the statement.

Thus, as agreed, as per statements of learned counsel for the appellants, learned counsel and representative of respondent No.3 - Insurance Company (separately recorded), a sum of ₹1,30,000/- (₹ One Lac Thirty Thousand Only) over and above the amount awarded by the Tribunal is allowed to the appellants in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants, the enhanced amount be paid to appellant No.1 – Kamla Devi wife of Shiv Lal.

Accordingly, we dispose of this case with a direction to

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the Insurance Company to deposit a crossed – cheque for ₹1,30,000/- in the name of appellant No.1 – Kamla Devi wife of Shiv Lal with the office of the Lok Adalat of the High Court on or before 02.06.2016, in compliance of this order, failing which, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The appellant(s)' counsel/appellant(s) may collect the cheque from the office of the Lok Adalat.

Copy of the order be supplied/sent to the counsel/parties and file be returned to the Hon'ble High Court.

(R.K.Nehru)
President

(Ram Chand Gupta)
Member

17.05.2016

P.seth