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FAO No.4390 of 2014

Renu Devi and ors. Vs. Harcharan Singh @ Happy and anr.

Present: Mr.S.K.Panwar, Advocate, with
Mr.Ravi Malik, Advocate,
for the appellants.

Mr.Sanjeev Goyal, Advocate, with
Mr.Gaurav Parashar, Deputy Manager,
Shri Ram Gen. Ins. Co. Ltd. - respondent No.3.

* * * *

Vide order dated 27.04.2016, on behalf of the appellants, proposal was made to enhance compensation by ₹2,20,000/- 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 for respondent No.3 – Insurance Company states that Company is agreeable to pay only an amount of ₹1,50,000/- and not ₹2,20,000/- over and above the amount awarded by the MACT. This counteroffer of ₹1,50,000/- 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 the Insurance Company (separately recorded), a sum of ₹1,50,000/- (₹ One Lac Fifty 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, out of the enhanced amount, 50% be paid to appellant No.1 – Renu Devi widow of Munish Kumar and the remaining 50% be paid to appellant No.3 – Surinder Pal son of Kishori

Lal.

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Accordingly, we dispose of this case with a direction to the Insurance Company to deposit two crossed – cheques for ₹75,000/- each in the names of appellant No.1 – Renu Devi widow of Munish Kumar and appellant No.3 – Surinder Pal son of Kishori Lal. with the office of the Lok Adalat of the High Court on or before 03.10.2016, 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 concerned Officer of the Lok Adalat Branch/Office shall issue proper receipt after receiving the cheques to learned counsel/representative of the respondent – Insurance Company. The appellant(s)' counsel/appellant(s) may collect the cheques 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

02.09.2016
P.Seth