

519 FAO NO.972 of 2016

Chandu Mali and another V/S

Sudesh Manga and others

*** * * ***

Present: Mr. Anil Kumar Spehia, Advocate for the appellant.
 Ms. Vandana Malhotra, Advocate for Ins. Co.

Son of the claimants aged about 9 years died in a motor accident. Learned Tribunal awarded a total compensation of Rs.3,75,000/- in favour of the claimants. Hence this appeal at their instance seeking enhancement of compensation.

The matter has been discussed today in detail with the learned counsel for the parties and they have arrived at a settlement.

As agreed, as per statements of learned counsel for the appellants as well as counsel for the Insurance Company, separately recorded, a sum of `1,00,000/- (Rupees One lac Only) over and above the amount already awarded by the Tribunal is allowed to the appellants in full and final settlement of their claim. As per the statement of learned counsel for the appellants, the enhanced amount be paid to the appellants in the ratio of 50-50 i.e. Rs.50,000/- each.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit a cheque for `1,00,000/- (Rupees one lac Only) favouring appellants with the Office of the Lok Adalat of the High Court within two months. Failing compliance of the order, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The appellants' counsel may collect the cheque from the office of the Lok Adalat after retaining the photocopy of the cheque/draft bearing signatures of the Counsel.

Appeal stands disposed of.

Copy of this order be supplied/sent to the counsel/parties and file be consigned to record.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

August 05, 2016

rajeev