



IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT

BILASPUR

Single Bench

Misc. Appeal [C] No. 42 /2014

APPELLANTS

- :- 1. Smt. Santoshi Thakur, Wd/o Late Shri Prahlad Singh, aged about 37 years
2. Kumari Shashi Singh, daughter of Late Shri Prahlad Singh, aged about 20 years
3. Kumari Bindu Singh, daughter of Late Shri Prahlad Singh, aged about 19 years
4. Kumari Bindiya Singh, daughter of Late Shri Prahlad Singh, aged about 18 years
5. Kumari Chhaya Singh, daughter of Late Shri Prahlad Singh, aged about 16 years
6. Kumari Khushbu Singh, daughter of Late Shri Prahlad Singh, aged about 14 years
7. Nikhil Singh Thakur, son of Late Shri Prahlad Singh, aged about 10 years

A.No. 42119
Presented by Shri Amay Kant
dated 07.10.14
Am

Appellants No. 5 to 7 are minor, hence impleaded through their natural guardian mother/ appellant No. 1 Smt. Santoshi Thakur, Wd/o Late Shri Prahlad Singh

All resident of Village Podibahar, Korba, Tehsil and District Korba (C.G.)

VERSUS

RESPONDENTS/
NON-APPLICANTS
(DRIVER)

- :- 1. Patilal Khairwar, son of Ramlal Khairwar, resident of Salihabhata, O.P. Uрга, District Korba (C.G.)

Owner

2. Shri Subhash Agrawal, son of Shri J.P. Agrawal, Stone Crushing Company, Office at Near Choramandalam Office, T.P. Nagar Korba, Tahsil and District Korba (C.G.)

Am

Insurer

3. Oriental Insurance Company Limited,
through Divisional Manager, Divisional
Office at Geetanjali Bhawan, Main Road
Korba, Tehsil and District Korba (C.G.)

MISC. APPEAL UNDER SECTION 173 OF THE MOTOR
VEHICLES ACT, 1988, VALUED AT RS. 24,86,000/-



(31)



CHHATTISGARH HIGH COURT, BILASPUR
NATIONAL LOK ADALAT

Judge - Lok Adalat : **Hon'ble Shri Justice Rajendra Chandra Singh Samant**
Member - Lok Adalat : **Shri V.V.S. Murthy, Sr. Advocate**

Misc. Appeal (C) No. 42 of 2014

Smt. Santoshi Thakur and Others : ---- Appellants (Claimants)

Versus

Patilal Khairwar & Others : -- Respondents

For Appellants - Shri Amiyakant Tiwari, Advocate.
For Respondent No.3/Insurance Company - Smt. Chitra Shrivastava, Advocate.

ORDER

(Passed on 11th February, 2017)

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 No.3/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 without any interest. The apportionment of the enhanced amount shall be ratably distributed according to the award.
2. It is further observed that appellants No.5 to 7 are minor, therefore the amount of compensation falling in their share shall be kept in the form of fixed deposit in the nationalized bank which would be renewable and would be payable on attaining the age of majority.

Sd/-

(R.C.S. Samant)
Judge -Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-

(V.V.S. Murthy)
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur