

FAO No.6524 of 2010

Smt.Sandeep Kaur and ors. Vs. Sandeep Kumar and ors.

Present: Mr.J.B.S.Gill, Advocate for the appellants.

Mr.M.B.Jain, Advocate,
for respondent No.3 – Iffco Tokio Gen. Ins. Co. Ltd.

Mr.Anmol Sandhu, AAG, Punjab,
for respondents No.4 and 5.

* * * *

Vide order dated 05.05.2017, on behalf of the appellants, proposal was made to enhance compensation by ₹4,00,000/- 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. On 11.08.2017, learned counsel for respondent No.3 – Insurance Company stated that Company is agreeable to pay only an amount of ₹3,75,000/- and not ₹4,00,000/- over and above the amount awarded by the MACT and signed the statement and the matter was adjourned for today. Today, learned counsel for the appellants has accepted this counteroffer of ₹3,75,000/- and has signed the statement.

Thus, as agreed, as per statements of learned counsel for the appellants and learned counsel for the respondent - Insurance Company (separately recorded), a sum of ₹3,75,000/- (₹ Three Lac Seventy Five 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 – Smt.Sandeep Kaur widow of Yashpal.

Accordingly, we dispose of this case with a direction to the

Insurance Company to deposit a crossed – cheque for ₹3,75,000/- in the name of appellant No.1 – Smt.Sandeep Kaur widow of Yashpal with the office of the Lok Adalat of the High Court on or before 04.10.2017, 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 cheque to learned counsel/representative of the respondent – Insurance Company. 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

21.08.2017

P.Seth

(Ram Chand Gupta)
Member