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FAO No.1430 of 2015

Ritu Verma and ors. Vs. Nagesh Kumar and ors.

Present: Mr.Ishaan Singh Cooner, Advocate,
for the appellants.

Ms.Vandana Malhotra, Advocate,
for respondent No.3 – Cholamandalam MS Gen. Ins. Co. Ltd.

* * * * *

Vide order dated 27.01.2017, on behalf of the appellants, proposal was made to enhance compensation by ₹2,50,000/- 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 ₹2,40,000/- and not ₹2,50,000/- over and above the amount awarded by the MACT. This counteroffer of ₹2,40,000/- 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 and learned counsel for the respondent - Insurance Company (separately recorded), a sum of ₹2,40,000/- (₹ Two Lac Forty 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 appellants No.1 to 3 in equal shares.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit three crossed – cheques for ₹80,000/- each in the names of appellant No.1 – Ritu Verma d/o Shri Shyam Sunder Verma,

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Bench No.2.

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appellant No.2 – Dimple Verma d/o Shri Shyam Sunder Verma and
appellant No.3 – Pawan Kumar s/o Shri Shyam Sunder Verma with the
office of the Lok Adalat of the High Court on or before 17.04.2017, 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 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

28.02.2017
P.Seth