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FAO-4417-2014

ROSHNI & ANR. V/S SEKH SALAM & ORS.

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Present: Mr. Sunil K Rana, Advocate for the appellant.

Roshni, Appellant No.1 in person

Mr. PHS Pannu, Advocate for the Ins. Co.

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Son of the appellants and the father of respondent No.4 died in a motor accident. The learned Tribunal awarded a total compensation of Rs.6,24,000/-. The Tribunal further ordered that a sum of Rs.1,00,000/- each be paid to the parents of the deceased and the balance amount be paid to the minor child of the deceased. The amount payable to the minor was ordered to be put in Fixed Deposit and paid to her on her attaining the age of majority.

Learned counsel for the parties were heard. Hon'ble Mr. Justice K. Kannan as his lordship then was, vide order dated April 09, 2016 settled the amount of enhanced compensation at Rs.2,50,000/- in full and final satisfaction of the claim of the claimants. Today, Roshni-Appellant No.1, Mother of the deceased has put in appearance. Her statement has been recorded separately. According to her, she will feel satisfied if she is awarded another sum of Rs.50,000/- from out of the enhanced amount of Rs.2,50,000/- as her husband-appellant No.2 has since died and the balance amount be paid to the minor, which amount should be put in Fixed Deposit and disbursed to her on her attaining majority.

In view of the above, this appeal stands settled. The Insurance Company-Respondent No.3 will deposit the enhanced amount of Rs.2,50,000/- with the learned Motor Accidents Claims Tribunal, Karnal within a period of six weeks from the date of receipt of copy of this order by

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the learned counsel for the Insurance Company, failing which, the enhanced amount will carry interest @ 9% from the date of this order. The learned Tribunal shall pay a sum of Rs.50,000/- to Smt. Roshni Wd/o late. Risal Singh and the balance amount of Rs.2,00,000/- shall be put in Fixed Deposit in the name of minor child (Khushi alias Shivani), daughter of the deceased Sumer Chand in a nationalized bank carrying maximum interest and shall be paid to her on her attaining majority.

The appeal stands disposed of in the above terms.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

February 22, 2017

Naina Rajput