

Mukesh Kumar Vs. Daya Ram @ Kali and ors.

Present: Mr.Rohit Rana, Advocate for the appellant.

Mr.Subhash Goyal, Advocate,
for respondent No.3 – Iffco Tokio Gen. Ins. Co. Ltd.

* * * *

Vide order dated 19.10.2016, on behalf of the appellant, proposal was made to enhance compensation by ₹5,00,000/- 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.

Today, learned counsel for respondent No.3 – Insurance Company states that Company is agreeable to pay only an amount of ₹2,80,000/- and not ₹5,00,000/- over and above the amount awarded by the MACT. This counter offer of ₹2,80,000/- has been accepted by learned counsel for the appellant, who has signed the statement.

Thus, as agreed, as per statements of learned counsel for the appellant and learned counsel for the respondent - Insurance Company (separately recorded), a sum of ₹2,80,000/- (₹ Two Lac Eighty Thousand Only) over and above the amount awarded by the Tribunal is allowed to the appellant in full and final settlement of the claim in this appeal. Accordingly, we dispose of this case with a direction to the Insurance Company to deposit a crossed – cheque for ₹2,80,000/- in the name of the appellant – Mukesh Kumar son of Shri Rampal with the office of the Lok Adalat of the High Court on or before 23.02.2017, 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

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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

(Ram Chand Gupta)
Member

13.01.2017
P.Seth