

Ram Niwas and anr. Vs. Rakesh Kumar and ors.

Present: Mr.Vineet Chaudhary, Advocate
for the appellants.

Mr.Sanjeev Kodan, Advocate,
for respondent No.3 – Reliance Gen. Ins. Co. Ltd.

Mr.Vikas Mohan Gupta, Advocate, and
Mr.R.C.Kapoor, Advocate, with
Mr.A.D.Malhotra, Deputy Manager, and
Ms.Mamta Bansal, Deputy Manager, and
Mrs.Alka Singhal, Regional Manager,
United India Insurance Company Limited – respondent No.5.

* * * * *

Vide order dated 03.10.2017, on behalf of the appellants, proposal was made to enhance compensation by ₹3,70,000/- 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 respondents No.3 and 5 – Reliance General Insurance Company limited and United India Insurance Company Limited.

Today, learned counsel for respondent No.3 – Reliance General Insurance Company Limited and learned counsel and representatives of respondent No.5 – United India Insurance Company Limited state that Companies are agreeable to pay only an amount of ₹3,24,000/- and not ₹3,70,000/- over and above the amount awarded by the MACT as per their liability to pay compensation to the extent of 75% and 25%. This counteroffer of ₹3,24,000/- 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, learned counsel for respondent No.3 – Reliance General

respondent No.5 – United India Insurance Company Limited (separately recorded), a sum of ₹3,24,000/- (₹ Three Lac Twenty Four 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.

Accordingly, we dispose of this case with a direction to respondent No.3 – Reliance General Insurance Company Limited to deposit ₹2,43,000/-, being 75% liability, and respondent No.5 – United India Insurance Company Limited to deposit ₹81,000/-, being 25% liability, (in total ₹3,24,000/-) in the names of appellant No.1 – Ram Niwas and appellant No.2 – Pardeep, both sons of deceased Roshni, in the shape of F.D.Rs, in equal shares, to be payable to them on attaining majority, with the MACT, Kaithal, on or before 21.12.2017, failing which, interest @ 9% per annum shall follow on this amount till payment from the date of this order.

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

07.11.2017
P.Seth