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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Decided on: 8th December, 2017

+ **MAC. APP. 1230/2012 & CM No.20059/2012**

**ICICI LOMBARD GENERAL INSURANCE COMPANY
LIMITED**

..... Appellant

Through: Ms. Neerja Sachdeva, Advocate

versus

RAJ KUMAR & ORS.

..... Respondents

Through: Mr. O.P. Mannie, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. The insurance company presses the appeal at hand directed against the judgment dated 29.05.2012 of motor accident claims tribunal on the accident claim case (M. No.38A/2012) of the first respondent (the claimant) only to assail the directions about payment of Rs.7,000/- as lawyer's fees and Rs.2100/- towards out of pocket expenses to the counsel for the claimant.

2. There being no justification for such inclusion, the directions in the award for payment of lawyer's fee and out of pocket expenses are set aside.

3. By order dated 03.12.2012, the insurer was directed to deposit 50% of the awarded amount (less counsel's fee) with upto date interest

with UCO Bank, Delhi High Court, New Delhi and by subsequent order dated 02.05.2013, the said deposited amount was ordered to be released to the claimant.

4. The insurer is directed to satisfy the award by requisite deposit along with upto date interest with the tribunal within thirty days, making it available to be released to the claimant.

5. The statutory deposit shall be refunded to the insurer only after proof of award having been satisfied is shown.

6. The appeal stands disposed of in above terms.

DECEMBER 08, 2017

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R.K.GAUBA, J.