

Cholamandalam MS Gen. Ins. Co. Ltd. Vs. Seema and ors.

Present: Mr.Punit Jain, Advocate, with
Mr.Pradeep Pathak, Deputy Manager,
Cholamandalam MS Gen. Ins. Co. Ltd. - appellant.

Mr.Shokeen Singh Verma, Advocate,
for respondent Nos.1 to 3.

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This appeal has been filed by the Insurance Company against the award dated 27.02.2018, challenging the amount of compensation awarded by the MACT in favour of respondent Nos.1 to 3.

The matter has been discussed. Learned counsel and representative of the Insurance Company state that Insurance Company is agreeable to pay a sum of ₹47,75,000/- inclusive of interest only in full and final settlement of the claim filed by claimants–respondents before the MACT for the death of Satvir son of Ramjas in a motor vehicle accident, which took place on 02.09.2016, to reach at an amicable settlement with respondent Nos.1 to 3 in stead of ₹61,32,840/- as awarded by the MACT concerned. Learned counsel for respondent Nos.1 to 3 has accepted this offer of the appellant – Insurance Company.

Thus, as agreed, as per statements of learned counsel for respondent Nos.1 to 3, learned counsel and representative of the appellant – Insurance Company, a sum of ₹47,75,000/- in all is allowed to respondents No.1 to 3 in full and final settlement of the claim. As per the statement of learned counsel for respondent Nos.1 to 3, the agreed amount be paid to respondent No.1 – Seema widow of Satvir.

Accordingly, we dispose of this case with a direction to the

in the name of respondent No.1 – Seema widow of Satvir with the office of the Lok Adalat of the High Court on or before 25.10.2018, 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 cheque to learned counsel/representative of the appellant – Insurance Company. The respondent(s) counsel/respondent(s) may collect the cheque from the office of the Lok Adalat.

Registry of this Court is also directed to refund the statutory amount of ₹25,000/- to the appellant – Insurance Company, which the appellant has deposited with the Registrar, Punjab and Haryana High Court, vide order of deposit No.333 dated 18.05.2018, at the time of filing this appeal.

A copy of this order be sent to the learned Registrar (Judicial) of this Court for necessary compliance.

Copy of the order be also supplied/sent to the counsel/parties and file be returned to the Hon'ble High Court.

(R.K.Nehru)
President

(R.C.Kathuria)
Member

11.09.2018
P.Seth