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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
NATIONAL LOK ADALAT

+ MAC.APP. 310/2013

IFFCO TOKIO GENERAL INS. CO. LTD. Appellant

Through: Mr.Amitabh Chaturvedi, Advocate.

Versus

YOGESH & ORS. Respondents

Through: Mr.Naresh, Advocate along with R-1 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

MR. K. VENKATRAMAN (CO-MEMBER)

ORDER

% **10.02.2018**

1. The matter was amicably settled in pre sitting Lok Adalat on 05.02.2018. The terms of the settlement read as under: -

“The present appeal was filed by the appellant insurance company for reduction of the Award dated 16.11.2012 passed by Ld. P.O. MACT in case No. 93/2011 wherein the Ld. Tribunal has granted compensation of Rs.23,01,189/- along with interest @ 7.5% per annum from the date of filing of the petition. The insurance company deposited 80% of the awarded amount along with upto date interest with the Registrar General of the Delhi High Court in pursuance of the order dated 08.04.2013 passed by Hon'ble Justice Suresh Kait. The amount of 50% of deposited amount (i.e. 40% of the Award) was released to the respondent / claimants as per the order dated 08.04.2013.

After negotiation, it is agreed between the parties that the total awarded amount shall be reduced by Rs.1,30,000/- along with proportionate interest. In terms of the aforesaid Agreement, the respondent / claimant shall be entitled to get Rs.21,71,189/- along with the accrued interest. The respondent / claimants have already received the 50% of the deposited amount (80% of the awarded amount) along with the accrued interest. The respondent / claimants shall be entitled to the balance amount along with the accrued interest in terms of the present settlement. The appellant insurance company shall pay to the injured / Mr. Yogesh the balance amount along with accrued interest in terms of the present settlement. The appellant insurance company shall get back statutory amount along with the interest, if any.”

2. Learned counsel for the parties submit that they are settling the subject matter of the appeal in terms of the settlement arrived in pre sitting Lok Adalat on 05.02.2018.
3. In terms of the settlement, the total awarded amount shall be reduced by Rs.1,30,000/- along with proportionate interest. Respondent No.1 / claimant shall be entitled to Rs.21,71,189/- along with the accrued interest. The respondent/claimant already received 50% of the deposited amount (80% of the awarded amount along with the accrued interest). The appellant insurance company shall deposit balance amount along with the accrued interest within 30 days with DHCLSC, failing which interest @ 9% p.a. shall be payable. The statutory amount with accrued interest be refunded in favour of appellant insurance company.
4. In view of the settlement entered into between the parties, no further orders are required to be passed in this appeal.
5. Accordingly, the appeal is disposed of.

6. Copy of the order be given dasti under the signatures of the court Master.

(VINOD GOEL)
PRESIDING OFFICER

(K. VENKATRAMAN)
CO-MEMBER

FEBRUARY 10, 2018
"shailendra"