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

+ **MAC.APP. 437/2014**

THE NEW INDIA ASSURANCE COMPANY LTD..... Appellant
Through: Mr.J.P.N.Shahi, Advocate for Insurance
Company with Mr.Neeraj Kumar, AM.

Versus

SMT. KAMINI DEVI & ORS. Respondents
Through: Mr. S.N. Parashar, Advocate.

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 02.02.2018. The terms of the settlement reads as under:-

“Appellant insurance company has filed present appeal for reduction, challenging the award dated 01.04.2014 passed by learned MACT, Dwarka Court in petition bearing No. 02/2013 wherein the learned tribunal has awarded compensation of Rs.15,62,868/- along with interest @ 7.5 per cent per annum from the date of filing of DAR till realization.

After discussion, it is agreed between the parties that the total awarded compensation shall be reduced by lump sum amount of Rs. 2 lacs. The entire amount along with accrued interest was deposited by the insurance company and vide order dated 12.05.2014, 80 per cent of the awarded amount already released in favour of the respondent / claimant. It is agreed between the parties that out of the balance amount lying before the Registrar General, Delhi High Court, Rs.2 lacs as lump sum amount shall go to the appellant insurance company. Rest of the sum along with the interest accrued on

the balance sum shall go to respondent No.1. Statutory amount of Rs.25,000/- interest if accrued shall go to the appellant insurance company.”

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 02.02.2018. Learned counsel for respondent no.1 submits that during pendency of the appeal, the respondent no.2 had died. He has placed on record original death certificate of respondent no.2 showing his date of death as 16.12.2016.
3. In terms of the settlement, the Registrar General shall release the sum of Rs. 2 lacs to the appellant insurance company. The statutory amount of Rs.25,000/- with accrued interest, if any, be also released to the appellant.. Rest of the amount along with interest accrued shall be released by the Registrar General in favour of respondent No.1.
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”