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

NATIONAL LOK ADALAT

\+ MAC.APP. 587/2015

HDFC ERGO GENERAL INS. CO. LTD. ..... Appellant
Through: Mr.Pawan Kumar, Advocate for Mr.A.K. Soni, Advocate.

Versus

ISHRAT & ORS. ..... Respondents
Through: Mr.Anshuman Bal, Advocate for R-1 to R-5.

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL
MR. K. VENKATRAMAN (CO-MEMBER)

<u>O R D E R</u>

% 10.02.2018

1. The matter was amicably settled in pre sitting Lok Adalat on 09.01.2018. The terms of the settlement reads as under: -

> "Appellant insurance company filed an appeal for reduction against the award dated 29.04.2015 and amended award/ dated 25.05.2015 passed by learned MACT, Saket Court in MACT No. 578/2011 whereby the learned MACT has awarded Rs.18,12,152/- along with 9 per cent interest from the date of filing of the petition till the realization as total compensation. After discussion, it is agreed between the parties that the award of the learned MACT be reduced to Rs.13,65,000/- along with 9 per cent interest as full and final settlement. Learned counsel for the appellant insurance company submitted that in terms of the order dated 28.07.2015, the entire awarded amount along with the up to date interest was deposited before the Registrar General, Delhi High Court. In terms of the settlement, it is submitted by the

> parties that out of the total deposited amount by the appellant insurance company, sum of Rs.13,65,000/- along with 9 per cent per annum from the date of filing of the claim petition till date of deposit and thereafter the proportionate interest shall be granted as compensation in favour of the respondents No. 1 to 5 and the balance deposited amount along with the accrued interest shall be released in favour of the appellant insurance company along with the statutory amount of Rs.25,000/-. It is agreed between the parties that amount of Rs.13, 65,000/- along with accrued interest shall be released in the ratio of 60 per cent in favour of respondent No.1 and balance 10 per cent each in favour of respondent No. 2 to 5. Counsel for the claimant informed that the respondents No. 4 and 5 are minor and therefore, same could be kept in the FDR of the UCO bank, Delhi High Court Branch till the age of majority. The amount so deposited be released through UCO Bank, Delhi High Court Branch."

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 09.01.2018.

3. In terms of the settlement, the amount of Rs.13,65,000/- along with accrued interest shall be released in the ratio of 60% in favour of respondent No.1 and balance 10% each in favour of respondent No. 2 to 5. Since respondent No. 4 and 5 are minor, the share of the minors shall be kept in the FDR of UCO Bank, Delhi High Court till the age of majority. The balance amount and the statutory amount of Rs.25,000/- along with accrued interest be refunded to appellant insurance company by the Registrar.

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"