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

+ CM No.41763-41765/2017 & 46554/2017 in MAC.APP. 1006/2017

35 MADHU SUDAN & ANR Appellants

Through: Mr. Praveen Kapoor, Adv.

versus

ANIL KUMAR TRIVEDI Respondent

Through: Mr. Amit Chawla, Adv. with
respondent in person.

+ CM No.41801-41803/2017 & 46553/2017 in MAC.APP. 1009/2017

36 MADHU SUDAN & ANR Appellants

Through: Mr. Praveen Kapoor, Adv.

versus

SHOBHIT TRIVEDI Respondent

Through: Mr. Amit Chawla, Adv. with
respondent in person.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **27.04.2018**

1. The appellants have challenged the awards dated 09th May, 2017 whereby the compensation of Rs.25,124/- has been awarded to Anil Kumar Trivedi and Rs.1,19,214/- has been awarded to Shobhit Trivedi.

2. On 14th July, 2013, the appellant was driving Maruti Wagon-R car bearing No. DL 2CAF 4303 in Yamuna Vihar when the Scorpio car going ahead of the appellant applied sudden break to save a child due to which the appellant also applied the break but the motorcycle coming from behind being driven by Shobhit Trivedi could not stop his motorcycle and hit the Maruti Wagon-R due to which Shobhit and his father sitting on the pillion suffered injuries.

3. Learned counsel for the appellant urged at the time of hearing that

there is no negligence on the part of the appellant who was forced to stop his vehicle as the Scorpio going ahead of him suddenly stopped his vehicle. It is submitted that the respondents have not taken any action against the Scorpio car. Reliance is placed on the site plan placed on record at page-53 in MAC.APP.1006/2017.

4. Learned counsel for the appellant submits that the appellant has deposited Rs.60,000/- with the Claims Tribunal and statutory amount of Rs.25,000/- has been deposited in each of two cases. It is submitted that the appellants have no objection if the respondents accept the aforesaid amount of Rs.1,10,000/- in full and final settlement and the respondents give their no objection to the quashing of FIR.

5. Mr. Shobhit Trivedi, respondent in MAC.APP.1009/2017 is ready to accept Rs.1,10,000/- on his behalf as well as on behalf of his father in full and final settlement and the respondents agree to give their no objection to the petitioner for quashing of the FIR.

6. Both these appeals are disposed of in terms of the above settlement. The pending applications are also disposed of.

7. The Claims Tribunal is directed to release Rs.60,000/- to Shobhit, respondent in MAC.APP.1009/2017. With respect to the statutory amount of Rs.25,000/-, the registry is directed to release the statutory amount in MAC.APP.1006/2017 to the respondent, Anil Kumar Trivedi and the statutory amount in MAC.APP.1009/2017 to the respondent, Shobhit Trivedi through their counsel.

8. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

APRIL 27, 2018/ak