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

+ MAC.APP. 1127/2017

TAMANNA Appellant
Through: Mr. S.N. Parashar, Advocate.

Versus

KARAN SINGH & ANR. (NEW INDIA ASSURANCE COMPANY LTD. Respondents
Through: Mr. J.P.N. Shahi, Advocate for Insurance Company with Mr. Neeraj Kumar, AM.

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 01.02.2018. The terms of the settlement read as under: -

“Appellant has filed an appeal for enhancement against the award dated 03.07.2017 passed by learned PO, MACT wherein the learned court awarded compensation of Rs.9,80,100/- along with interest @ 9 per cent per annum and out of the said award, 50 per cent of the award was deducted towards contributory negligence thereby amounting to grant of compensation of Rs.4,90,050/-.

After discussion, it is agreed that since the appellant had challenged the finding with regards to contributory negligence as deceased was a pillion rider, therefore, the insurance company has agreed to settle subject matter of the appeal for total amount of Rs.8,80,100/-. It is agreed between the parties that the total amount of Rs.4,90,050/- as awarded by the learned MACT was already paid to the appellant, therefore, the balance sum agreeable to be paid to the appellant comes to Rs.3,90,000/-

lump sum without interest.”

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 01.02.2018.
3. In terms of the settlement, learned counsel for the insurance company has placed on record a cheque bearing no. 003250 dated 09.02.2018 drawn on HDFC Bank, K.G. Marg, New Delhi in favour of the appellant.
4. It is agreed that the amount shall be deposited by the insurer to the claimant through Delhi High Court Legal Services Committee within 30 days from today, failing which interest @ 9% per annum shall be payable. A sum of Rs.1,90,000/- out of settled amount of Rs.3,90,000/- be kept in FDR in any nationalised bank for a period of 3 years.
5. In view of the settlement entered into between the parties, no further orders are required to be passed in this appeal.
6. Accordingly, the appeal is disposed of.
7. 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”