

KRISHNA DEVI AND ANOTHER VS. PARDHAN AND ORS.

Present:- Mr. S.P. Chahar, Advocate
for the appellant.

Mr. D.R. Bansal, Advocate with
Mr. Gopal Krishan, Manager &
Mr. Amrik Singh, AM for
National Insurance Co. Ltd.

Mr. R.C. Kapoor, Advocate,
for the Oriental Insurance Company Ltd.

Vide order dated 29.05.2019 on the basis of the statement made by learned counsel for the appellant a proposal was made for enhancing compensation by Rs.5,00,000/- over and above the amount already granted by the MACT concerned. In the present appeal, the liability is on both the Insurance Companies on fifty fifty ratio. On 28.08.2019, learned counsel for the Oriental Insurance Company had stated that the Insurance Company agreed to enhance the compensation only by Rs.4,35,000/- and not by Rs. 5,00,000/- and had signed to that effect (50% of the enhanced claim i.e. 2,17,500/-. Learned counsel for the appellants agreed to this counter offer of the respondent-Insurance Company.

Today, learned counsel for the National Insurance Co. Ltd. has also given concurrence to the 50% of the enhanced amount i.e. Rs.2,17,500/-and signed to that effect

Accordingly, ₹4,35,000/- (Rupees Four lacs thirty five thousand only) is allowed as further compensation over and above the compensation already awarded by the MACT.

We dispose of this case subject to just exceptions with a direction to both the Insurance Companies to deposit a crossed-cheque in the sum of

₹4,35,000/- (Rupees Four lacs thirty five thousand only) on fifty fifty ratio in the name of the appellant No.1-Krishna Devi wife of Mahabir Singh with the office of the Lok Adalat of the High Court on or before 14.10.2019 failing which the amount will carry 9% interest p.a. from the date of this order till the cheque is deposited with the office of the Lok Adalat. The appellants' counsel/appellant may collect the cheque from the office of the Lok Adalat.

Copy of the order/statement be supplied /sent to the counsel/parties and file be returned to the High Court.

(J.C. Verma)
President

(Arvind Kumar)
Member

02.09.2019
Atul