

Satbir Vs. Preet Singh alias Prita and ors.

Present: Satbir – appellant in person with
Mr.Parveen Sharma, Advocate.

Mr.Vinod Chaudhry, Advocate, with
Mr.Yatin Sachdeva, A.M.,
Oriental Insurance Company Limited.

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Power of Attorney on behalf of the appellant has been filed today by Mr.Parveen Sharma, Advocate, which is placed on the record.

The matter has been discussed. It has been stated by learned counsel for the appellant that appellant has not received ₹25,000/- out of the total compensation awarded by the MACT on the plea that Insurance Company had also filed an appeal in the Hon'ble High Court and deposited ₹25,000/- in the Hon'ble High Court.

Perusal of file shows that cross-appeal bearing FAO No.2903 of 2011 was filed by the Insurance Company, which was dismissed by the Hon'ble High Court on 06.04.2011. Hence, Registry is directed to look into the matter and if the amount deposited by the Insurance Company is still lying in the Registry, the same be refunded to the appellant.

As agreed, as per statements of the appellant, his counsel and learned counsel for the respondent – Insurance Company (separately recorded), a sum of ₹75,000/- (₹ Seventy Five Thousand Only) over and above the amount awarded by the Tribunal is allowed to the appellant in full and final settlement of the claim in this appeal. This is subject to all just exceptions available in favour of the respondent – Insurance Company.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque for ₹75,000/- in the name of the appellant – Satbir son of Rishpal Singh with the office of the Lok Adalat of the High Court on or before 08.01.2020, in compliance of this order, failing which, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The concerned Officer of the Lok Adalat Branch/Office shall issue proper receipt after receiving the cheque to learned counsel/representative of the respondent – Insurance Company. The appellant(s)' counsel/appellant(s) may collect the cheque from the office of the Lok Adalat.

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

(R.K.Nehru)
President

(Ram Chand Gupta)
Member

06.11.2019
P.Seth