

Smt.Anita and ors. Vs. Anil Shah and ors.

Present: Mr.Akshat Mittal, Advocate for the appellants.

Mr.Vinod Chaudhri, Advocate, and
Mr.Vinod Gupta, Advocate, and
Mr.Pradeep Kumar, Advocate, with
Mr.Sakshi Kumar, A.M. and
Mr.Vishal Malhotra, A.O.,
New India Assurance Company Limited.

* * * *

Vide order dated 19.09.2019, on behalf of the appellants, proposal was made to enhance compensation by ₹5,50,000/- over and above the amount awarded by the MACT in full and final settlement of the claim in this appeal and the matter was adjourned for concurrence of the respondent - Insurance Company.

Today, learned counsel and representatives of the respondent – Insurance Company state that Company is agreeable to pay only an amount of ₹4,75,000/- and not ₹5,50,000/- over and above the amount awarded by the MACT. This counter-offer of ₹4,75,000/- has been accepted by learned counsel for the appellants, who has signed the statement.

Thus, as agreed, as per statements of learned counsel for the appellants and learned counsel for the respondent – Insurance Company (separately recorded), a sum of ₹4,75,000/- (₹ Four Lac Seventy Five Thousand Only) over and above the amount awarded by the Tribunal is allowed to the appellants in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants, the enhanced amount be paid to appellant No.1 – Smt.Anita widow of Sh.Om Pal.

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Accordingly, we dispose of this case with a direction to the Insurance Company to deposit a crossed – cheque for ₹4,75,000/- in the name of appellant No.1 - Smt.Anita widow of Sh.Om Pal with the office of the Lok Adalat of the High Court on or before 28.11.2019, 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

17.10.2019
P.Seth