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FAO-5204-2017

RAJESH KUMAR V/S VEER BAHADUR AND OTHERS

Present: Mr.Sanjiv Kumar Aggarwal, Advocate for the appellant.

Mr.Punit Jain, Advocate,
for respondent No.3 – HDFC ERGO Gen. Ins. Co. Ltd.

* * * *

Vide order dated 11.03.2022, on behalf of the appellant, proposal was made to enhance compensation by ₹3,50,000/- 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 for the respondent-Insurance Company states that Company is agreeable to pay only an amount of ₹2,90,000/- and not ₹3,50,000/- over and above the amount awarded by the MACT. This counter-offer of ₹2,90,000/- has been accepted by learned counsel for the appellant, who has signed the statement.

Thus, as agreed, as per statements of learned counsel for the appellant and learned counsel for the respondent-Insurance Company (separately recorded), a sum of ₹2,90,000/- (₹ Two Lakh Ninety 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.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit crossed – cheque for ₹2,90,000/- in the name of the appellant – Rajesh Kumar son of Shri Daya Chand with the office of the Lok Adalat of the High Court on or before 07.07.2022, in compliance of this order, failing which, interest @ 9% per annum shall

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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

26.05.2022
P.Seth