

Daya Devi and others Vs. Ramesh Kumar and others

Present:- Ms. Ekta Thakur, Advocate
for the appellant.

Mr. Vipul Sharma, Advocate
for respondents No.1 and 2.

Mr. Paul S. Saini, Advocate
for United India Insurance Co. Ltd.

This is claimants' appeal for enhancement of compensation against the award dated 7.03.2018 passed by MACT, Chandigarh. The claimants were awarded the compensation of Rs.2,31,350/- along with interest @ 7.5% p.a. from the date of filing of the petition before MACT on account of death of Pala Ram aged about more than 65 years in a motor vehicular accident that had taken place on 10.04.2017.

The liability to pay the compensation fastened on respondents No.1-Ramesh Kumar and respondent No.2-Ravi Kumar driver and owner of vehicle No.CH-01-BE-1245.

The matter has been referred to this forum for settlement. The parties have entered into a settlement for a total sum of Rs.80,000/- over and above the awarded amount as full and final settlement in this case. Respondents No.1 and 2 in their joint statement stated that the amount will be given within six weeks i.e. on or before 02.07.2019. Learned counsel for the appellants-claimants states that the enhanced amount of compensation be paid to Daya Devi.

We dispose of this case with a direction to respondents No.1 and 2 deposit a crossed-cheque in the sum of ₹80,000/- (Rupees Eighty thousand only) in the name of the appellant No.1-Daya Devi widow of Pala Ram with the office of the Lok Adalat of the High Court on or before

02.07.2019. However, if the amount is not deposited on or before 02.07.2019, the liberty is given to the appellants-claimants to file an application for revival of the claim petition.

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

13.05.2019
Atul