

**502 FAO NO.2882 OF 2012 AND
 XOBJC-5-CII OF 2013
 BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD. V/S
 JITENDER YADAV & ORS.**

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Present: Ms. Vandana Malhotra, Advocate for Bajaj Allianz Gen. ins.
 Co.

 Mr. Dheeraj Narula, Advocate for respondents 2 and 3.

 Mr. Rajesh Sethi, Advocate for Cross Objectors.

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 This order will dispose of FAO No.2882 of 2012 and Cross
Objections No.5-CII of 2013.

 The matter has been discussed with the learned counsel
for the parties and they have arrived at a settlement. Their statements
have been recorded separately. Learned counsel for the claimant
stated that in the facts & circumstances of the case, the cross
objections deserve to be allowed and the appeal preferred by the
Insurance Company deserves to be dismissed. Learned counsel for the
claimant/cross objector submitted that the claimant will feel satisfied if
the cross objections are allowed and he is awarded a sum of
Rs.5,00,000/- (Rupees Five Lac Only) over & above the amount
already awarded by the MACT and the enhanced amount be paid to
the appellant-Jitender Yadav S/o Lekh Raj in full & final satisfaction of
the claim. Learned counsel appearing for the Insurance Company has
agreed to the enhancement as proposed by the claimant/cross
objector.

 In view of the agreed stand of the learned counsel for the
parties, the cross objections preferred by the claimant are allowed and
he is awarded an amount of Rs.5,00,000/- (Rupees Five Lac Only)
over & above the amount already awarded by the MACT and the entire

amount be paid to the appellant-Jitender Yadav, and in the facts &

circumstances, the appeal preferred by the Insurance Company is dismissed having been rendered infructuous. It is further directed that the Insurance Company shall deposit a cheque in the sum of Rs.5,00,000/- (Rupees Five Lac Only) favouring the appellant-Jitender Singh S/o Lekh Raj with the Office of the Lok Adalat of the High Court on or before 17.12.2019. Failing compliance of the order, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The claimant's counsel may collect the cheque/draft from the office of the Lok Adalat. The office shall retain the photocopy of the cheque/draft bearing signatures of the Counsel.

Copy of this order be supplied/sent to the counsel/parties and file be consigned to record.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

October 18, 2019

NainaRajput