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FAO No.8505 of 2017 (O&M)

Choamandalam M.S. General Insurance Company Ltd.

Vs.

Birla Devi and others

Present:- Mr. Puneet Jain, Advocate for the appellant.

Mr. Parmod Parmar, Advocate for the respondents.

This appeal has been filed by the Insurance Company against the award dated 04.09.2017 passed by the MACT, whereby the total amount Rs.23,84,080/- has been awarded.

Hon'ble High Court while issuing notice of motion on 21.12.2017 has stayed the recovery beyond Rs.20,00,000/-

Mr. Punit Jain, Advocate has stated that out of the total awarded amount of Rs.23,84,080/-, Rs.20 lacs has already been deposited including interest in compliance of the order of Hon'ble High Court. Mr. Parmod Parmar, Advocate has stated that the Rs.20 lacs has been withdrawn by the claimants-respondents.

Both the counsels have agreed to compromise the matter to the fact that out of the total amount awarded by the MACT, it shall be limited to Rs. 20 lacs i.e. awarded amount be modified to the extent that only Rs.20 lacs shall be paid to the claimants. Award is accordingly modified as per the joint statements of both the counsels recorded separately.

We order that the amount awarded by the MACT to the extent of Rs.23,84,080/- be modified to a total amount of Rs.20 lacs including the interest which amount has already been deposited and withdrawn and the appeal is disposed of in terms of the above.

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

(S.K. Jain)
President

(J.C. Verma)
Member

19.07.2019
Atul

(J.C. Verma)