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FAO No.92 of 2017

Khushnuma and anr. Vs. Tehal Singh and ors.

Present: Mr.Rajiv Kumar Saini, Advocate for the appellants.

Mr.Punit Jain, Advocate,
for respondent No.3 – Cholamandalam MS Gen. Ins. Co. Ltd.

* * * *

Vide order dated 14.11.2019, on behalf of the appellants, proposal was made to enhance compensation by ₹6,48,000/- 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 respondent No.3-Insurance Company states that Company is agreeable to pay only an amount of ₹5,75,000/- and not ₹6,48,000/- over and above the amount awarded by the MACT. This counter-offer of ₹5,75,000/- 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 ₹5,75,000/- (₹ Five 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.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit crossed-cheques for ₹5,75,000/- in the names of appellant Nos.1 and 2, in equal shares, with the office of the Lok Adalat of the High Court on or before 31.01.2020, in compliance of this order,

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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 cheques to learned counsel/representative of the respondent – Insurance Company. The appellant(s)' counsel/appellant(s) may collect the cheques 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

06.12.2019
P.Seth