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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
**NATIONAL LOK ADALAT**

+ MAC.APP. 653/2013

NATIONAL INSURANCE CO LTD .... Appellant

Through Ms. Pankaj Seth, Advocate  
with Mr. Sunil Singh, Manager  
in person

versus

SMT GAJANDAI & ORS ..... Respondents

Through Mr. Manish Maini, Advocate

And

+ MAC.APP. 779/2013

SMT GAJANDAI & ORS ..... Appellants

Through Mr. Manish Maini, Advocate

Versus

SH SUBHASH MALHOTRA & ORS ..... Respondents

Through Ms. Pankaj Seth, Advocate  
with Mr. Sunil Singh, Manager  
in person

**CORAM:**

**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**MR. K. VENKATRAMAN (CO-MEMBER)**

**ORDER**

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**14.09.2019**

1. Both the Insurance Company and the claimant challenged the award dated 25.4.2013 of the learned MACT, Dwarka Court by way

of appeals bearing Nos.MAC APP No.653/2013 and MAC APP No.779/2013. The matter has been mutually settled between the parties.

2. In an appeal bearing No. MAC. APP. 779/2013 filed by the claimants for enhancement of the claim, the fourth appellant, one of the claimants before the tribunal, has expired on 18/03/2016 and C.M. No.17397/2016 filed by the Appellants in the said appeal for deletion of fourth appellant Sh. Roop Lal from the array of the parties was allowed and accordingly Appellant no.4 was deleted, amended memo of parties was filed.

3. It is amicably agreed between the parties that the Insurance Company will pay lumpsum amount of Rs.2,00,000/- (Rupees Two Lakhs Only) to the claimants as full and final settlement over and above the award of the Ld tribunal. Insurance Company has deposited entire awarded amount alongwith upto date interest accrued thereon before the Registrar General of this Hon'ble Court in compliance of the order dated 19/07/2013. It is pointed out by the Ld. counsel for the claimant that the only 50% of the awarded amount has been released and further requested that rest of the 50% amount lying deposited in the form of FDR with UCO Bank, Delhi High Court Branch may be released in favour of the claimants.

4. The Insurance Company is directed to deposit the enhanced amount of Rs.2,00,000/- before the Delhi High Court Legal Services Committee (DHCLSC) within four weeks failing which it shall carry interest @ 7.5% on delayed deposit. Let the cheque of the enhanced amount be prepared in favour of Smt. Gajandai (widow).

5. Since the respondent No.4 (Sh. Roop Lal) in MAC APP No.653/2013 expired on 18.3.2016, the share of Sh. Roop Lal shall go to Smt. Gajandai, Sh. Narender Kumar, Sh. Devender Kumar and Smt. Ramwati in equal proportions. Let the 50% of the deposited amount along with the interest accrued thereon shall be released by the UCO Bank, Delhi High Court in favour of Smt. Gajandai, Sh. Narender Kumar, Sh. Devender Kumar and Smt. Ramwati in terms of the Award.

6. The DHCLSC shall release the enhanced amount of Rs.2,00,000/- in favour of Smt. Gajandai subject to fulfilment of all the requisite formalities.

7. The Registrar Delhi High Court shall release the statutory amount of Rs. 25,000/- deposited by the Insurance Company in MAC No.653/2013 along with interest, if any, to the Insurance Company subject to the fulfilment of requisite formalities. Consequently, the appeals stand disposed of accordingly.

8. Order be given *dasti* under the signatures of the Court Master.

**(CHANDER SHEKHAR)**  
**PRESIDING OFFICER**

**(K. VENKATRAMAN)**  
**CO-MEMBER**

**SEPTEMBER 14, 2019/rk**