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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ MAC.APP. 397/2016

NATIONAL INSURANCE CO LTD Appellants

Through Mr.S. Mazumdar, Adv. with
Mr.Sunil Singh, Asstt. Manager.

versus

ANITA & ORS

..... Respondents

Through Mr. Manish Maini, Adv. for R-1 to 3

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+ MAC.APP. 348/2017

SANNA DEVI

..... Appellant

Through Mr. Manish Mani, Adv.

Versus

RAVI SATIJA & ORS

..... Respondents

Through Mr.S. Mazumdar, Adv. with Mr.Sunil
Singh, Asstt. Manager.

Mr. Manish Maini, Adv. for R-4 & 5.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

MR. K. VENKATRAMAN (CO-MEMBER)

ORDER

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09.03.2019

Parties have mutually agreed to resolve the subject matter and there-
under, the respondent Insurance company has agreed to pay a sum of
Rs.1,90,000/- (Rupees One Lac Ninety Thousand only) over and above the
amount payable in terms of the impugned award as full and final settlement.

Today, the enhanced amount has come to be deposited by the
insurance company by way of cheque bearing No. 325317 dated 11.02.2019

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amounting to Rs.1,90,000/- drawn on Corporation Bank, Laxmi Nagar, Delhi favouring the claimant Ms. Anita. 10% of the enhanced amount shall be released to the claimant and the remaining amount shall be kept in Fixed Deposit for a period of five years in a Nationalized Bank. However, the interest accruing on such amount may be released to the claimant as may be beneficial to him on monthly or yearly basis.

Parties have also mutually agreed that the claimant shall be at liberty to seek release of the amounts lying deposited with MACT in consonance with the terms of the award.

The impugned award stands modified to that effect. Consequently, the appeals and the pending applications shall stand disposed of.

The statutory amount deposited for entertainment of the appeal alongwith interest, if any, shall be refunded to the insurance company


(A.K. CHAWLA)
PRESIDING OFFICER


(K. VENKATRAMAN)
CO-MEMBER

MARCH 09, 2019

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IN THE HIGH COURT OF DELHI AT NEW DELHI

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MAC.APP. 348/2017

SANNA DEVI

..... Appellant

Through: Mr. Manish Maini, Advocate for Appellant
and Respondents No. 4 and 5.

Versus

RAVI SATIJA & ORS (NATIONAL INSURANCE COMPANY
LTD)

..... Respondents

Through: Mr. Pankaj Seth, Advocate for Insurance
Company.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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03.05.2019

CM No.21128/2019 (for release of amount)

Issue notice.

Mr. Seth, the learned counsel accepts notice on behalf of the Insurance Company.

With consent of the parties, the application is taken up for final disposal.

It is stated that the settlement amount of Rs.1,90,000/-, over and above the amounts payable in terms of the impugned Award, towards full and final settlement of all claims had been agreed by the insurance company and the said amount lies deposited in this Court. This application seeks distribution of the said amount between the class – I legal heirs of the

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deceased. The learned counsel for the applicants states that the appellant, respondents no. 4 and 5 are the mother, widow and son of the deceased respectively. He submits that these are the only class –I legal heirs of the deceased. There is no objection to the relief sought.

The application is allowed.

In the circumstances, the amount of Rs.1,90,000/-, which has been deposited in the Court by the insurance company, in terms of the settlement before the Lok Adalat, shall be apportioned between the applicants – legal heirs of the deceased, in the same proportion, as has been specified in the Award. The share of respondent no.5-a minor, shall be kept in an FDR, to be renewed automatically, and shares of the widow and mother of the deceased shall be released to them.

The application stands disposed-off in terms of the above.

MAY 03, 2019
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NAJMI WAZIRI, J.