

CHHATTISGARH HIGH COURT, BILASPUR

E- LOK ADALAT

(Arising out of award dated 19.11.2018 passed by the 2nd Additional Motor Accident Claims Tribunal, to First Additional Judge, District- Durg (C.G.) in claim case No. 405/2016)

Judge - Lok Adalat : Hon'ble Shri Justice Gautam Chourdiya
Member - Lok Adalat : Shri Rajeev Shrivastava, Advocate

Misc. Appeal (C) No. 479 of 2019

1. Smt. Sunita Sahu W/o Kashiram Sahu, aged about 35 years, R/o HSCL Colony, near Shitla Mandir, Shivpara, Station Maroda, Bhilai, Police Station Nevai, Tahsil & District- Durg (C.G.).

---- Appellant

Versus

1. Nagesh Kumar S/o Sampatlal aged about 27 years, Occupation: Driver of Vehicle TVS Apache, R/o Nevai Basti (Bajrang para) Tahsil & District- Durg (C.G.).

(Driver of alleged vehicle Motorcycle TVS Apache bearing registration No. C.G. 07AZ-2093)

2. Sampatlal S/o Shobharam, aged about 53 years, Occupation: Owner of vehicle TVS Apache, R/o Nevai Basti (Bajrang para) Post Nevai, PS. Nevai, Bhilai Tahsil & District- Durg (C.G.).

(Owner of alleged vehicle Motorcycle TVS Apache bearing registration No. C.G. 07AZ-2093).

3. Bajaj Alliance General Insurance company Limited, Registered Office: GE Plaza, Air Port Road Yerveda Pune 411006 through : Branch Manager, Branch Office Shiv Mohan Bhawan, Vidhan Sabha Road Pandri Raipur, Tahsil & District- Raipur 492001 Insurance policy No. OG 16- 2303-1802-00010833 Engine No. 2841497, Chasis No. 2K 06118 Limitation dated 14/12/2015 to 13/02/2016 Issue dated 14/12/2015

(Insurer of alleged vehicle Motorcycle TVS Apache bearing registration No. C.G. 07AZ-2093).

---- Respondents

For Appellant - Shri C. R. Sahu, Advocate.

For Respondent No. 03/Insurance Company - Shri Ghanshyam Patel, Advocate

Award**(Passed on 11th July, 2020)**

1. The contesting parties to this appeal have amicably settled/compromised the dispute, which is subject matter of this appeal, voluntarily. We have also found that the terms and conditions of compromise/settlement arrived at between the contesting parties are just, proper and legal. There is no legal impediment to compromise and hence are acceptable. We accordingly accept the compromise/settlement, proposed by the parties and order that the Respondent No.3/Insurance Company shall pay Rs. 60,000/-(sixty thousand) by way of compensation in addition to the amount awarded by the Tribunal to the appellant. In case the said amount is not paid within two months from today the same shall carry interest as awarded by the Tribunal till realization.
2. Copy of this award should be provided free of cost to the parties immediately.

Sd/-

(Gautam Chourdiya)
 Judge -Lok Adalat
 High Court of Chhattisgarh
 Bilaspur

Sd/-

(Rajeev Shrivastava)
 Member – Lok Adalat
 High Court of Chhattisgarh
 Bilaspur