

Shanti Kaur and anr. Vs. Jagsir Singh and ors.

Present: Mr.A.S.Barnala, Advocate for the appellants.

Mr.Vinod Gupta, Advocate, and
Mr.Ashwani Talwar, Advocate, with
Ms.Pushpa Bhardwaj, Manager, and
Mr.Vishal Malhotra, A.O.,
New India Assurance Company Limited.

Mr.H.P.S.Ghuman, Advocate,
for proforma respondent Nos.4 to 6.

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As agreed, as per statements of learned counsel for the appellants, learned counsel for proforma respondent Nos.4 to 6, learned counsel and representatives of the respondent – Insurance Company (separately recorded), a sum of ₹5,50,000/- (₹ Five Lac Fifty Thousand Only) over and above the amount awarded by the Tribunal is allowed to the appellants and proforma respondent Nos.4 to 6 in full and final settlement of the claim in this appeal. As per statements of learned counsel for the appellants and proforma respondent Nos.4 to 6, out of the enhanced amount, ₹2,00,000/- be paid to appellant Nos.1 and 2 i.e. parents in equal shares and the remaining amount be paid to proforma respondent Nos.4 to 6 in equal shares.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit two crossed-cheques for ₹1,00,000/- each (in total ₹2,00,000/-) in the respective names of appellant Nos.1 and 2 and out of the remaining enhanced amount, one crossed-cheque of the share of proforma respondent No.4 (widow), in her name, with the office of the Lok Adalat of the High Court on or before 05.03.2020. Insurance Company is

also directed to deposit the amount falling to the share of proforma respondent Nos.5 and 6 (minor daughters) in some nationalized bank in the shape of FDRs in their names, to be payable to them on their attaining majority, in compliance of this order, failing which, interest @ 9% per annum shall follow on the enhanced 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)/proforma respondents' counsel/proforma respondent(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

23.01.2020
P.Seth