

NATIONAL LOK ADALAT

CHHATTISGARH HIGH COURT CAMPUS : BILASPUR

M.A.(C) No. 1267 of 2016

1. Smt. Rekha Bai Wd/o Late Anil Kumar, Aged About 22 Years R/o- Village- Haranmundi Kadampara, Tahsil- Pali, District- Korba, Chhattisgarh.
2. Smt Kunti Bai, Wd/o Late Sh. Suna Ram, Aged About 45 Years R/o- Village- Haranmundi Kadampara, Tahsil- Pali, District- Korba, Chhattisgarh.
3. Aryan Kumar, S/o Late Sh. Anil Kumar, Aged About 3 Years Minors Through Their Mother And Next Friend Smt Rekha Bai, R/o- Village- Haranmundi Kadampara, Tahsil- Pali, District- Korba, Chhattisgarh.
4. Ayush Kumar, S/o Late Anil Kumar, Aged About 1 Years Minors Through Their Mother And Next Friend Smt Rekha Bai, R/o- Village- Haranmundi Kadampara, Tahsil- Pali, District- Korba, Chhattisgarh,.....Claimants.

---- Petitioner

Versus

1. Sunil Kumar Mehta S/o Ambika Mehta, Aged About 34 Years R/o- Village- Silapar, Police Station- Mohammdganj, District- Palamu Jharkhand, Presently R/o- Vishram Nagar, Pali Road Dipka, P.S.- Dipka, District- Korba, Chhattisgarh,....Driver Of Alleged Vehicle Bearing Registration No. C.G. 04- Jc -9859.
2. Yogendra Tiwari, S/o Late Sh Shyam Narayan Tiwari, Aged About 48 Years R/o- House No. 358 Saheed Bhagat Singh Colony, Ward No. 02, Pali Road Dipka, P.S.- Dipka, District- Korba, Chhattisgarh,.....Owner Of Alleged Vehicle Bearing Registration No. C.G. 04- Jc- 9859.
3. Sri Ram General Insurance Company Ltd., Head Office - E-8, Epip Riico Industrial Area Sitapura Jaipur, 302022 Rajasthan Through Branch Manager, Sri Ram General Insurance Company Limited, Branch Office, 4th Floor Maruti Heights. G.E. Road Raipur Tahsil And District- Raipur, Chhattisgarh,.....Insurer Of Alleged Vehicle Bearing Registration No. C.G. 04- Jc – 9859.

---- Respondents

Shri S. B. Pandey, counsel for the Appellants.

Shri Deepak Gupta, Advocate for Respondent No.3-Sri Ram General Insurance Company Ltd.

AWARD

(Passed on this 11th December, 2021)

1. The present appeal has been filed by the Claimants for enhancement of the amount of compensation arising out of the death of Anil Kumar, who has died in a motor accident. The Claims Tribunal has awarded a total amount of Rs.7,54,000/- towards the compensation to the Applicants. Since Applicants No.3 & 4, before the Tribunal, are minors,

therefore, the Tribunal has directed to deposit 60% of the entire amount payable to the minor Applicant No.3-Aryan Kumar and Applicant No.4-Ayush Kumar in FDR in a Nationalised Bank till they attain age of majority. The Respondent No.3-Insurance Company submitted a docket and proposed to pay Rs.3,00,000/- more in addition to the amount awarded by the Tribunal within a period of two months from today, which is accepted by the Appellants.

2. In view of above, it is directed that 50% of the amount shall be deposited in FDR in a Nationalised Bank till Applicant No.3-Aryan Kumar and Applicant No.4-Ayush Kumar attain the age of majority and rest of the amount will be disbursed in the equal ratio to Appellants No.1 & 2.

Sd/-
(Sanjay S. Agrawal)
Judge – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-
(Dr. NK Shukla)
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur