



C.M.A.No.3736 of 2019

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WEB CO **C.SARAVANAN, J.**

Today, this case is listed under the caption “for being mentioned” as the final order has been passed on 20.04.2021.

2. After hearing the learned counsel for the appellant and the learned counsel for the second respondent/Insurance Company, I am inclined to modify Paragraph No.3 to read as follows:-

"3.The value of the appeal is confined only to Rs.1,28,789/- (Rs.15,00,000/- - Rs.13,71,211/-). In my view, the enhancement sought for by the appellant/claimant in this appeal appears to be reasonable. Therefore, the second respondent/Insurance Company is directed to pay a sum of Rs.15,00,000/- (Rs.13,71,211/- + Rs.1,28,789/-)"

3. After Paragraph No.3, Paragraph Nos.4, 5 and 6 shall be added to read as follows:-

"4. The second respondent/Insurance Company is directed to deposit the enhanced amount of compensation of Rs.15,00,000/- together with interest at 7.5% per annum from the date of numbering of the claim petition till the date of such deposit, less any amount already deposited by it,



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C.M.A.No.3736 of 2019

within a period of four weeks from the date of receipt of a copy of this Judgment.

5. On such deposit being made by the second respondent/Insurance Company, the appellant/claimant is permitted to withdraw the same together with interest accrued thereon, less the amount already withdrawn if any, by filing suitable application before the Tribunal.

6. Accordingly, this Civil Miscellaneous Appeal stands allowed. No costs."

4. The Registry is directed to carry out the necessary corrections and re-issue the order copy to the respective learned counsel appearing for the parties.

08.07.2022

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C.M.A.No.3736 of 2019

C.SARAVANAN, J.

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