

Bi-Monthly Lok Adalat

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FAO No.2204 of 2019 (O&M)

KAKULATI AND OTHERS VS SONU AND OTHERS

Present: Mr. Ketan Antil, Advocate
for the appellants.

Mr. Punit Jain, Advocate for
respondent No.3-Insurance Company.

On request, the case has been taken up in Bi-Monthly Lok Adalat through video conferencing.

The appellants and respondent No.3-Insurance Company have arrived at compromise in the Lok Adalat and as per statements of learned Counsel for the appellants and learned Counsel for respondent No.3, under the compromise a sum of Rs.65,000/- is agreed to be paid by respondent No.3 to the appellants over and above the amount awarded by the Motor Accidents Claims Tribunal in full and final settlement of the claim in this appeal.

Accordingly, the appeal is disposed of in terms of the above compromise with a direction to respondent No.3-Insurance Company to pay amount of Rs.65,000/- over and above the amount awarded by the Motor Accidents Claims Tribunal in full and final settlement of the claim of the appellants. Respondent No.3-Insurance Company shall pay the above said amount by crediting the same into the account of the appellants in equal shares through RTGS or any other digital mode within one month from the date of this order failing which the amount of Rs.65,000/- shall be recoverable with interest at the rate of 9% per annum from the date of this order till realization. The

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amount credited to the account of minors appellant No.2-Krishan Dev Kumar and appellant No.3-Kanhiya Kumar shall be deposited in FDRs in their name under scheme permitting maximum rate of interest till attaining of majority by them. On attaining of majority, appellants No.2 and 3 shall be entitled to withdraw the amount of the FDR with interest accrued thereon without requirement of passing of any further order by the High Court or the Motor Accidents Claims Tribunal. Particulars of bank accounts of the appellants shall be furnished by learned Counsel for the appellants to learned Counsel for respondent No.3-Insurance Company within 7 days from the date of this order and in case of his failure to do so, payment may be made by respondent No.3 by way of demand drafts drawn in favour of the appellants.

Copy of this order be supplied to the learned Counsel for the parties and file be returned to the High Court.

(ARUN KUMAR TYAGI)
President

(PAWAN KUMAR MUTNEJA)
Member

14.08.2021
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