

**BEFORE THE LOK ADALAT,  
PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH**

**538            FAO-4187-2019 (O&M)**

**SUDESH & & OTHERS  
VS  
PREETI & OTHERS**

Present:      Mr. Wazir Singh, Advocate  
                     for the appellants.

                     Mr. Rajbir Singh, Advocate  
                     for respondent No.2-Insurance Company.

(Through Video Conferencing)

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**CM-5051-CII-2021**

This is an application for preponing the matter and disposing of/withdrawing the main case/FAO in terms of the compromise between the appellants/claimants and respondent No.2-Insurance Company.

For the reasons stated in the application, which is supported by an affidavit, the same is allowed.

Application stands disposed of.

**Main case**

This is an appeal filed by the appellants-claimants for enhancement while seeking modification of the award dated 04.12.2018 vide which the learned Motor Accident Claims Tribunal, Karnal has awarded an amount of **Rs.17,43,280/-** alongwith interest @ 6% p.a from the date of filing of the claim petition till realisation of the amount so awarded.

It has been brought to the notice of this Court that the matter has been compromised. The statement of Mr. Rajbir Singh, Advocate for respondent No.2-Insurance Company has been recorded. The same is

reproduced herein below:-

*“Statement of Sh. Rajbir Singh, Advocate/Dy.Manager,/ Manager/authorized representative of ICICI Lombard General Insurance Company Limited.*

*I/we agree on behalf of the respondent-company for full and final settlement of compensation of **Rs.1,50,000/-** (Rupees One Lac Fifty Thousand Only), over and above the amount of **Rs.17,43,280/-** already awarded by the MACT with an undertaking to pay/deposit the same as per the orders that may be passed by the Lok Adalats (Daily/Bimonthly/National), failing which interest at the rate 9% per annum shall follow from the date of the settlement before the Hon'ble Bench*

*Name, Mobile No. Enrolment No. and e-mail I.D. Of Claimant's Advocate is, Wazir Singh-9416090764.*

**Note:-** *Please tick the appropriate option*

*(a) Whether consent of counsel for the claimant/appellant have been obtained:- Yes*

*(b) Whether settled/non settled/want more time: Settled.*

*RO/AC*

*Signatures:- Sd/- Rajbir Singh*

*Name of the Officer with Mobile Number and e-mail ID: RAJBIR SINGH, ADVOCATE*

*Mob:9855521626*

*Email Id:[rajbirsinghadvocate81@gmail.com](mailto:rajbirsinghadvocate81@gmail.com)*

*Place: Chandigarh*

*Dated.12.08.2021.”*

The statement of Mr. Mr. Wazir Singh , Advocate appearing for the appellants/claimants has already been recorded, which is reproduced herein below:-

*“Statement of Sh. Wazir Singh, Advocate, learned counsel for the applicant(s)/appellant(s)/claimant(s).*

*On the instructions of my client(s), I am prepared to accept*

*Rs.1,50,000/- (Rupees One Lakh Fifty five Thousand only), over and above the amount already awarded by the MACT.*

*This would be in full and final satisfaction of the claim of the appellant(s) in the appeal.*

*The aforementioned amount may be paid to  
appellant No.1 Rs.70,000/-,  
appellant No.2 Rs.40,000/-,  
appellant No.3 Rs.40,000/-  
total Rs.1,50,000/- in proportion as already awarded by the  
MACT.*

*RO & AC*

*Signatures: Sd/- Wazir Singh, Adv.*

*Place: Chandigarh*

*Dated:11.08.2021”*

A perusal of the above statements would show that the claimants as well as the Insurance Company have compromised the matter by stating that a compensation of **Rs.1,50,000/-** over and above the amount already awarded by the learned Motor Accident Claims Tribunal, Karnal will be paid by the Insurance Company to the appellants/claimants.

Counsel appearing for respondent No.2-Insurance Company has further stated that the said amount would be paid by the Insurance Company to the appellants within a period of 4 weeks from today, failing which the interest @ 9% p.a. shall follow from the date of the settlement before the Lok Adalat till the date of payment.

Insurance Company has further stated that a cheque amounting to **Rs.1,50,000/-** in the name of appellants, will be deposited with the office of the Lok Adalat of the Hon'ble High Court on or before 13.09.2021, failing which the interest @ 9% p.a. shall follow at this amount till the payment from the date

of this order.

In view of the above, we are of the opinion that the compromise is genuine and *bona fide* and in the best interest of the claimant as well as all the parties concerned.

Accordingly, the appeal is disposed of as having been compromised and the compromise shall be treated as part and parcel of the award, and the order of the learned Motor Accident Claims Tribunal, Karnal, stands modified in terms of the said compromise. The parties will be bound by the said compromise.

The concerned officer of the Lok Adalat Branch/Office shall issue proper receipt after receiving the Cheque/Demand Draft to learned counsel/representative of the respondent-Insurance Company. The appellant(s)/counsel for appellant(s) may collect the cheque from the office of the Lok Adalat.

All the pending miscellaneous application, if any, shall also stands disposed of, in view of the above-said order.

**(VIKAS BAHL)**  
**PRESIDENT**

**(JAGMOHAN BANSAL)**  
**MEMBER**

**August 14, 2021.**  
***Jitesh (JTS)***