

Bimonthly Lok Adalat

504

DAYA VS SANJAY AND ANR

Present: Mr. Ramender Chaudhan, Advocate for the appellant.

Ms. Vandana Malhotra, Advocate and
Mr. Nigam K. Bhardwaj, Advocate
for Reliance General Insurance Co. Ltd./
Mr. Suryadeep Singh Thakur, Deputy Manager.

The above appeal has been filed by appellant (claimant), seeking modification of the impugned award dated 11.10.2010 in MACT case No.64 of 2009 passed by Motor Accident Claim Tribunal, Bhiwani, as the compensation amount of Rs.1,50,000/- awarded to her by the Tribunal is on lower side, who has prayed for enhancement of the same.

This appeal is taken up in the Lok Adalat to explore the possibility of settlement between the contesting parties.

During the proceedings, the parties have arrived at an agreement and as per statements of learned counsel for the appellant, learned counsel and representative of the respondent—Insurance Company (separately recorded), a sum of Rs.3,90,000/- over and above the amount awarded by the Tribunal is allowed to the appellant in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellant, the enhanced amount be paid to the appellant in the same terms as ordered by Motor Accident Claim Tribunal, Bhiwani.

Accordingly, we dispose off this case with a direction to the Insurance Company to deposit a crossed-cheque for Rs.3,90,000/- in the name of appellant with the office of the Lok Adalat of the High Court within one month, in compliance of this order, failing which, interest @ 9% per annum shall follow on this 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 cheque to learned counsel/representative of the respondent – Insurance Company. The appellant(s)' counsel/appellant(s) may collect the cheque 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.

(MANOJ BAJAJ)
PRESIDENT

(PANKAJ JAIN)
MEMBER

August 14, 2021
jasmine kaur