

Reshma and anr. Vs. Rishi Pal and ors.

Present: Mr. Vijay Singh Kajla, Advocate
for the appellants.

Mr. Sanjeev Kodan, Advocate with
Mr. Sunil Gupta, Deputy Manager,
for Future Generali India Insurance Company Limited.

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Instant appeal has been filed by the appellants seeking enhancement of the compensation awarded by the learned Motor Accident Claims Tribunal, **Hisar**, vide its award dated 06.10.2014, to the tune of **₹8,19,000/-** along with interest @ **7 ½ per annum** from the date of filing of the claim petition till realization.

It has been brought to the notice of this Bench that the matter has been amicably settled. Statements of both the parties/counsel have been recorded separately which is taken on record as mark 'A' and 'B', respectively.

A perusal of the statements would show that the appellants as well as respondent-Insurance Company have amicably settled the matter by stating that an amount of **₹1,50,000/- (rupees one lac fifty thousand only)** over and above the amount already awarded by the **Motor Accident Claims Tribunal, Hisar**, will be paid **as full and final settlement** by the Insurance Company to the **appellants**.

Learned counsel appearing for respondent-Insurance company has further stated that the said amount would be paid by the **Insurance Company** to **appellants No.1 and 2 (as agreed)** within a period of 45 days 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.

It is further stated that two cheques total amounting to **₹1,50,000/-** (in equal shares) in the names of **appellants No.1 and 2** will be deposited with the office of the Lok Adalat of this High Court on or before 03.01.2022, failing which the interest @ 9% p.a. shall accrue on the said amount from the date of this order, till its realization.

In view of the above, we are of the considered opinion that the settlement is genuine and *bona fide* and in the best interest of the litigating parties.

Accordingly, instant appeal is disposed off as having been amicably settled. The settlement shall be treated as part and parcel of the award and the impugned award passed by the learned Motor Accident Claims Tribunal, Hisar stands modified as indicated above. The parties will be bound by the said settlement.

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

As the main appeal has been disposed off, no separate order needs to be passed in the pending application(s), if any.

(VIKAS SURI)
President

(PAWAN KUMAR MUTNEJA)
Member

20.11.2021
Kapil