501

BEFORE THE NATIONAL LOK ADALAT,
PUNJAB AND HARYANA HIGH COURT, CHANDIGARH

FAO No.4758-2015 (O&M)
Date of Decision : 11.09.2021

Jagdish Kumar

……. Appellant

Versus

Pawan Kumar and ors.

……. Respondents

Present: Mr. Ashit Malik, Advocate for appellant.
Mr.Ankur Gupta, Advocate for insurer-respondent No.3.

* * * *

Present appeal has been preferred under Section 173 of the Motor Vehicles Act, 1988 for enhancement of compensation against the impugned award dated 19.01.2015 passed by learned Motor Accident Claims Tribunal, Sonipat.

It transpired that learned Motor Accident Claims Tribunal, Sonipat (for short '*Tribunal*') vide impugned Award dated 19.01.2015 granted compensation of Rs.1,88,000/- along with interest @ 7.5% per annum from the date of filing of the claim petition till its realization. Respondents were held liable jointly and severally to pay the compensation.

Now, during the pendency of present appeal, the matter has been compromised between the parties i.e. appellant and respondent No.3. Learned counsel for respondent No.3/insurer has offered an amount of Rs.1 lac (Rupees One Lac) over and above the amount of compensation awarded by learned Tribunal, which is acceptable to the appellant/claimant as full and final settlement.

In view of the agreed stand taken by both sides, this appeal is disposed off as having been finally settled with the free consent of the parties. Aforesaid enhanced amount of Rs. 1 lac (Rupees One Lac) shall

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be deposited by way of cheque/demand draft in favour of the appellant/claimant with the Office of Lok Adalat of this Court within a period of 01 (one) month from today and the same shall be disbursed to the appellant. In case of failure by respondent No.3, the amount would carry interest at the rate of 9% per annum from the date of settlement till its realization. The terms and conditions of disbursal of the aforesaid enhanced amount of compensation will remain unaltered as passed by learned Tribunal.

A copy of this order be supplied to the parties/their counsel.

(MAHABIR SINGH SINDHU)
JUDGE

(GAURAV CHOPRA)
SENIOR ADVOCATE
(MEMBER)

September 11th, 2021
sanjay

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