

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

FAO No.7764 of 2015 (O&M)

Date of Decision : 11.09.2021

PARDEEP KAUR AND OTHERS

..... Appellants

Versus

SUSHIL KUMAR AND OTHERS

..... Respondents

Present: Mr. Munish Mittal, Advocate for the appellants.

Mr. Sanjay Panghal, Advocate for respondent Nos.1 & 2.

Mr. Rajneesh Malhotra, Advocate
for respondent No.3- SBI General Ins. Co. Ltd.

* * * *

Present appeal has been preferred under Section 173 of the Motor Vehicles Act, 1988 for modification/enhancement of the compensation on account of the death of Vikas Kumar.

It transpired that learned Motor Accident Claims Tribunal, Yamuna Nagar at Jagadhri (for short '*Tribunal*') vide impugned Award dated 23.07.2015 granted compensation of ₹ 16,03,000/- 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. appellants and respondent No.3.

Learned Counsel for respondent No.3/Insurer has offered an amount of ₹ 3,50,000/- (Three Lakh Fifty Thousand only) over and above the amount of compensation awarded by learned Tribunal, which is acceptable to the appellants/claimants 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 ₹ 3,50,000/- (Three Lakh Fifty Thousand only) shall be deposited by way of cheque/demand draft in favour of the appellants/claimants with the Office of Lok Adalat of this Court within a period of four weeks from today and the same shall be disbursed to the appellants in the same proportion as awarded by learned Tribunal. 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 disbursement 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
Gagan