

Bi-Monthly Lok Adalat

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FAO-3527-2017 (O&M)

GEETA DEVI (DECEASED) THROUGH LEGAL HEIRS V/S
HARDESH AND ORS.

Present : Mr. Atul Yadav, Advocate
for the appellant.

Mr. Rajbir Singh, Advocate for
respondent No.3-Insurance Company.

On request, the case has been up taken in Bi-Monthly Lok Adalat through video conferencing.

Appellant-Geeta Devi since deceased filed the present appeal through her legal heirs (i) Anjali Yadav (ii) Lal Singh and (iii) Roshni. During pendency of the appeal legal heir No.(ii) Lal Singh also died.

Legal heirs No. (i)-Anjali Yadav and (iii) Roshni of the appellant since deceased and respondent No.3-Insurance Company have arrived at compromise in the Lok Adalat and as per statements of learned Counsel for the appellant and learned Counsel for respondent No.3, under the compromise a sum of Rs.3,00,000/- is agreed to be paid by respondent No.3 to Legal heirs No. (i)-Anjali Yadav and (iii) Roshni of the appellant since deceased over and above the amount awarded by the Motor Accidents Claims Tribunal in full and final settlement of the claim in this appeal.

Accordingly, the appeal is disposed of in terms of the above compromise with a direction to respondent No.3-Insurance Company to pay amount of Rs.3,00,000/- to legal heirs No. (i)-Anjali Yadav and (iii) Roshni of the appellant since deceased over and above the amount awarded by the Motor Accidents Claims Tribunal in full and final settlement of the claim in the appeal. Respondent No.3-Insurance Company shall pay the amount of Rs.1,75,000/- to legal heir No.(i)-Anjali Yadav (minor daughter of deceased Geeta Devi) and Rs.1,25,000/- to legal heir No.(iii)-Roshni (mother-in-law of deceased Geeta Devi) by crediting the same into their accounts through RTGS or

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any other digital mode within one month from the date of this order failing which the amount of Rs.3,00,000/- shall be recoverable with interest at the rate of 9% per annum from the date of this order till realization. The amount credited to the account of legal heir No.(i)-Anjali Yadav (minor daughter of deceased Geeta Devi) shall be deposited in FDR in her name under scheme permitting maximum rate of interest till attaining of majority by her. On attaining of majority, legal heir No.(i)-Anjali Yadav shall be entitled to withdraw the amount of the FDR with interest accrued thereon without requirement of passing of any further order by the High Court or the Motor Accidents Claims Tribunal. Particulars of their bank accounts shall be furnished by learned Counsel for the appellant to learned Counsel for respondent No.3-Insurance Company within 7 days from the date of this order and in case of his failure to do so, payment shall be made by respondent No.3 by way of demand drafts drawn in their favour.

Copy of this order be supplied to the learned Counsel for the parties and file be returned to the High Court.

(ARUN KUMAR TYAGI)

President

(PAWAN KUMAR MUTNEJA)

Member

Dated 14.08.2021

Vishal