

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

515

FAO No.1592 of 2018 (O&M)

Date of Decision : 11.09.2021

AJAY

..... Appellant

Versus

RAJESH AND OTHERS

..... Respondents

Present: Mr. Pawan Kumar Hooda, Advocate for the appellant.

Mr. Ankur Gupta, Advocate
for respondent No.3- Bharti Axa 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 injuries suffered by the appellant.

It transpired that learned Motor Accident Claims Tribunal, Panipat (for short '*Tribunal*') vide impugned Award dated 03.10.2017 granted compensation of ₹ 2,03,209/- 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 ₹ 1,50,000/- (One Lakh Fifty Thousand only) 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 ₹ 1,50,000/- (One Lakh Fifty Thousand only) shall 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 four weeks from today and the same shall be disbursed to the appellant 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