

**BEFORE THE NATIONAL LOK ADALAT,
PUNJAB AND HARYANA AT CHANDIGARH**

(507)

FAO No.4937 of 2017 (O&M)

Vishal Srivastav and others Vs. Jagjit Singh and others

Present: Mr. Ishaan Singh Cooner, Advocate for
Mr. Jagram Singh Cooner, Advocate for the appellants.

Mr. R.N. Singal, Advocate for
respondent No.3-Insurance Company.

(Through Video Conferencing)

CM-14957-CII-2017

This is an application under Section 5 of Limitation Act for
condonation of delay of 73 days in filing the appeal.

For the reasons stated in the application, the same is allowed
and the delay of 73 days in filing the appeal is condoned.

FAO No.4937 of 2017

The present appeal has been filed by the claimants seeking
enhancement while seeking modification of the award dated 05.11.2016
vide which a compensation amounting to ₹ 8,69,000/- along with interest
@ 7.5 % p.a. from the date of the filing of the claim petition till final
realization, has been awarded.

As per the said award, an amount of ₹ 8,69,000 /- along with
interest @ 7.5 % p.a from the date of the filing of petition till actual
realization along with cost have been passed in favour of the
appellant/claimants. The matter has been compromised. The statement of

Mr. Jagraam Singh Cooner, Advocate for the appellants has been recorded.

The same is reproduced herein below:-

*“Statement of Sh. Jagraam Singh Cooner,
Advocate, learned counsel for the appellants.*

*On the instructions of my client(s) I am prepared
to accept ₹ 3,50,000/- (Rupees Three Lakhs Fifty
Thousand only) over and above the amount already
awarded by the MACT.*

*This would be in full and final satisfaction of the
claim of the appellant(s) in the appeal.*

*The aforementioned amount may be paid to
appellant No. _____ in proportion as already
awarded by the MACT.*

RO & AC

Signatures: Sd/-J.S. Cooner

Place: Chandigarh.

Dated 08.09.2021

The statement of Shri R.N. Singal, Advocate, appearing for respondent No.3-Insurance Company has also been recorded, which is reproduced herein below:-

*“Statement of Sh. R.N. Singal, Advocate/
Dy. Manager/Manager/authorised representative of
Oriental Insurance Company.*

I/We agree on behalf of the respondent

company for full and final settlement of compensation at Rs.3,50,000/- (Three Lakh Fifty Thousand) over and above the amount of Rs.8,69,000/- already awarded by the MACT with an undertaking to pay/deposit the same as per the orders that may be passed by the Lok Adalat (Daily/Bi -monthly/National) Benches, failing which interest at the rate of 9% per annum shall follow from the date of the settlement before the Hon'ble Bench subject to just exceptions.

- Name, Mobile No. Enrolment No. and e-mail I.D. Of Claimant's Advocate is _____*

Note:- Please tick the appropriate option

(a) Whether consent of counsel for the claimant/appellant have been obtained: Yes/No

(b) Whether Settled/Non Settled/Want more time.

RO/AC

Signatures: Sd/- R.N. Singal

Name of the Officer with Mobile number and e-mail I.D

Place: Chandigarh

Dated:9.9.2021.

A perusal of the above statement would show that the claimants and the Insurance Company have compromised the matter by stating that a compensation of ₹ 3,50,000/- over and above the amount already awarded

by the learned Motor Accident Claims Tribunal, Amritsar, will be paid by the Insurance Company to the appellant/claimants.

Learned counsel appearing for respondent No.3-Insurance Company has further stated that the said amount would be paid by the Insurance Company to the appellants within a period of six weeks 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.

Learned counsel for the Insurance Company has further stated that an amount to the tune of ₹ 3,50,000/- in the name of the appellant/claimants will be deposited with the office of the Motor Accident Claims Tribunal, Amritsar on or before 21.10.2021, failing which the interest @ 9% p.a. shall follow at this amount till the payment from the date of this order.

In view of the above, we are of the opinion that the compromise is genuine and *bona fide* and in the best interest of the claimants as well as all the parties concerned.

Accordingly, the appeal is disposed of as having been compromised and the compromise shall be treated as part and parcel of the award, and the order of the learned Motor Accident Claims Tribunal, Amritsar, stands modified in terms of the said compromise. The parties will be bound by the said compromise.

The concerned officer of the learned Tribunal shall issue proper receipt after receiving the cheque to the learned counsel/representative of

the respondent-Insurance Company.

(VIKAS BAHL)
PRESIDENT

(AASHISH CHOPRA)
MEMBER

September 11, 2021.
sandeep