

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

570 *FAO-5709-2017 (O&M)*

***LAKSHMAN DASS
VS
DARSHAN LAL AND OTHERS***

Present: Mr. Satbir Gill, Advocate for the appellant.

Mr. R.C. Gupta, Advocate
for respondent No.3-Insurance Company.

(Through Video Conferencing)

This is an appeal filed by the appellant-claimant for enhancement while seeking modification of the award dated 07.12.2016 vide which the learned Motor Accident Claims Tribunal has awarded the amount of Rs.1,95,000/- as compensation alongwith interest @ 7.5% per annum from the date of filing of the claim petition till realisation of the amount so awarded.

Mr. Satbir Gill, Advocate for the appellant submits that an amount of Rs.1,25,000/- over and above the amount awarded by the MACT, has been accepted by the appellant as full and final settlement of the claim.

Mr. R.C. Gupta, Advocate for the Insurance Company submits that the Insurance Company-respondent No.3 has settled the matter for an amount of Rs.1,25,000/- over and above the amount awarded by the MACT and is ready to pay the same to the appellant.

From the above submissions made by learned counsel for the parties, it is clear that the appellant/claimant as well as the Insurance Company have compromised the matter by stating that a compensation of Rs.1,25,000/- over and above the amount already awarded by the Motor Accident Claims Tribunal, will be paid by the Insurance Company to the appellant/claimant.

Counsel appearing for the respondent-Insurance Company has further stated that the said amount would be paid by the Insurance Company to appellant within a period of 6 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.

Insurance Company has further stated that a cheque amounting to Rs.1,25,000/- in the name of appellant, will be deposited with the office of the Lok Adalat of this High Court on or before 05.01.2022, 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 claimant as well as all the parties concerned.

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

compromise statements.

The concerned officer of the Lok Adalat Branch/Office shall issue proper receipt after receiving the Cheque/Demand Draft to learned counsel/representative of the respondent-Insurance Company. The appellant(s)/ counsel for appellant(s) may collect the cheque from the office of the Lok Adalat.

**(VIKAS BAHL)
PRESIDENT**

**(AMIT JHANJI)
MEMBER**

November 20, 2021.

D.Bansal