

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

**FAO No.5817-2018 (O&M)
Date of Decision : 11.09.2021**

Anita and others Appellants

Versus

Desh Raj and another Respondents

Present: Mr. Sumit Gupta, Advocate
for the appellants.

Mr. Ishan, Advocate, for
Mr. Punit Jain, Advocate
for respondent No.2-Insurance Company.

* * * *

Present appeal has been preferred under Section 173 of the Motor Vehicles Act, 1988 for enhancement of compensation against the impugned award dated 04.01.2018 passed by learned Motor Accident Claims Tribunal, Palwal on account of death of Chhattar Singh.

It transpired that learned Motor Accident Claims Tribunal, Palwal (for short '*Tribunal*') vide impugned Award dated 04.01.2018 granted compensation of Rs.14,81,200/- 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.2. Learned counsel for respondent No.2/insurer has offered an amount of Rs.4,25,000/- (Rupees Four Lacs and Twenty Five Thousand) 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 Rs.4,25,000/- (Rupees Four Lacs and Twenty Five Thousand) 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 45 (forty five) days 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.2, 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
D.Bansal