

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

542 FAO-10643-2018

**Prithvi @ Pappy and others
Vs
Sukhdev and others**

Present: Mr. Sandeep Goyat, Advocate
 for the appellant-claimants

 Mr. Punit Jain, Advocate
 for respondent No.3-Insurance Company.

(Through Video Conferencing)

The present appeal has been filed by the claimants for enhancement while seeking modification of the award dated 11.10.2013, vide which the learned Motor Accident Claims Tribunal, Hisar while deciding the claim petition No.179 (from the present appeal arises) has awarded an amount of Rs.5,44,000/- along with interest @ 7.5% p.a. from the date of filing of the claim petition till final realization of the amount.

The statement of Mr. Punit Jain, Advocate for respondent No.3-Insurance Company has been recorded. The same is reproduced herein below:-

*“Statement of Mr. Punit Jain,
Advocate/Deputy Manager/Manager/authorized
representative of Oriental Insurance Company Ltd.:-*

*I/We agree on behalf of the respondent-
company for full and final settlement of compensation at
Rs.3,35,000/- (Rupees Three Lakh Thirty Five Thousand*

only) over and above the amount 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, failing which interest at the rate of 9% per annum shall follow from the date of the settlement before the Lok Adalat.

RO & AC

Signatures: sd/- Punit Jain

Place: Chandigarh

Dated: 8.07.2021”.

The statement of Shri Sandeep Goyal, Advocate for the appellants/claimants has also been recorded, which is reproduced herein below:-

“Statement of Sh. Sandeep Goyat, Advocate, learned counsel for the applicant(s)/appellant(s)/claimant(s).

On the instructions of my client(s) I am prepared to accept Rs.03,35,000/-(Rupees Three Lakh Thirty Five Thousands only) over and the amount already awarded by the MACT, as full and final settlement without any further interest over the same.

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.1 Prithvi @ Pappy in proportion as already awarded by the MACT.

RO & AC

Signatures: sd/-Sandeep Goyat

Place: Chandigarh

Dated: 08.07.2021”.

A perusal of the above statements would show that the claimants as well as the Insurance Company have compromised the matter by stating that a compensation of ₹ 3,35,000/- over and above the amount already awarded by the learned Motor Accident Claims Tribunal, Hisar, will be paid by the Insurance Company to the appellants/claimants.

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 4 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 draft amounting to ₹ 3,35,000/- in the name of appellant No.1, will be deposited with the office of the Lok Adalat of the Hon'ble High Court on or before 08.08.2021, 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, Hisar, stands modified in terms of the said compromise. The parties will be bound by the said compromise.

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/appellant(s) may collect the cheque from the office of the Lok Adalat.

**(VIKAS BAHL)
PRESIDENT**

**(AMIT JAIN)
MEMBER**

July 10, 2021.
jitesh (jts)