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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Judgment delivered on: 26th February, 2021

+ **MAC.APP. 268/2020**

CHOLAMANDALAM MS GEN INS CO. LTD..... Appellant

versus

MRS SEEMA & ORS. Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Pankaj Gupta, Advocate

For the Respondents: Mr. Mehtab Singh, Advocate for R-1, 2 and 3 with respondent Mrs. Seema Devi

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J.

CM APPLN. 7983/2021 (for disposal in terms of settlement)

This is an application filed on behalf of the appellant as well as respondent no. 1, 2 and 3 seeking disposal of the appeal in terms of the settlement between the parties.

For the reasons stated in the application, the application is allowed. The appeal is taken up for consideration today. Next date i.e. 10.05.2021 is hereby cancelled.

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1. The hearing was conducted through video conferencing.
2. Appellant has impugned the award dated 26.08.2020 whereby the claim petition filed by respondent no. 1 to 3 was allowed and compensation awarded.
3. One of the ground of challenge of the appellant was that the Tribunal has erred in not making appropriate deduction towards the payment of income tax, while computing the income of the deceased.
4. Learned counsel for the parties submit that the parties have amicably settled their disputes and accordingly respondent no. 1 to 3 have conceded to refund/reduction of the awarded by a sum of Rs. 2,10,000/- .
5. It is informed that the entire awarded amount stands deposited with the Tribunal. By order dated 16.12.2020, this Court had directed disbursal of 70% of the awarded amount in terms of the scheme of disbursal specified therein.
6. In view of the above, the dated 26.08.2020 is accordingly modified. The compensation amount is reduced by a sum of Rs. 2,10,000/-.
7. In view of the above modification of the award, Tribunal shall refund a sum of Rs. 2,10,000/- to the Insurance Company and disburse

the balance amount as per the scheme of disbursal to the claimants.

8. Statutory deposit of Rs. 25,000/- made by the appellant with this Court be refunded.

9. The appeal is disposed of in the above terms.

10. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 26, 2021
‘rs’

