

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

206

**CR No. 6144 of 2015
Date of decision : 6.8.2022**

Pawan Kumar Mangla

.....Petitioner

Vs.

Oriental Insurance Company Limited, Gurgaon

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajesh Lamba, Advocate, for the petitioner

ANIL KSHETARPAL, J. (Oral)

The Permanent Lok Adalat while disposing of an application under Section 22-C of the Legal Services Authority Act, 1987, passed the following award :-

“5. So as a result of above discussion, respondent is directed to pay Rs.6,41,078/- (Rs. Six Lac Forty One Thousand and Seventy Eight Only) to the applicant within forty days of completion of the formalities/ requirements by the applicant. The applicant is directed to get RC of the vehicle transferred in favour of the respondent. The applicant is further directed to execute indemnity bond, subrogation letter and undertaking in favour of the respondent to this effect that applicant will not have any right, title or interest to the vehicle in question and will hand over the same to the respondent if the same is recovered at any stage. These documents will be handed over to the respondent against receipt or will be dispatched through registered post and then payment of the amount will be made by the respondent to the applicant within forty days failing which respondent will be liable to pay interest at the rate of 9% per annum from the date of institution till payment. The present application is allowed accordingly. File be consigned to record room.”

The principal amount has been paid. The dispute is only with respect to the liability to pay interest. The Executing Court has held that the

petitioner herein was required to get the registration certificate of the vehicle transferred in favour of the Insurance Company and then the period of payment of the money would begin to run. It has been held that registration certificate was transferred after 28.4.2015 whereas the payment was made on 1.4.2015 and the Court has held that the payment has been made within the time prescribed i.e. 40 days.

It is evident that a conditional order was passed by the Permanent Lok Adalat, which was dependent upon the petitioner getting registration certificate of vehicle transferred in favour of the Insurance company apart from the various other documents. The Executing Court is required to implement the decree as it exists.

Hence, no ground to interfere.

Dismissed.

(ANIL KSHETARPAL)
JUDGE

6.8.2022

Ashwani

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No