

FAO NO.2416 OF 2002

505

BHARPAI & ORS. V/S DHANNA & ORS.

Present: Mr. Kapil Mohan Singla, Advocate
for the appellants.

Kavita, LR No.1 of appellant No.2 &
Ankur, LR No.2 of appellant No.2
in person.

Mr. Aseem Aggarwal, Advocate and
Mr. DR Bansal, Advocate and
Mr. Gopal Mittal, Advocate with
Mr. Sunil Aggarwal, Manager and
Mr. Yogesh Kharbanda, Deputy Manager,
National Ins. Co. Ltd.

* * * *

This appeal was filed by Bharpai Wd/o Ram Kumar and Ishwar S/o Ram Kumar. During the pendency of this appeal, Ishwar-appellant No.2 has died and his legal representatives were brought on record. Smt. Kavita Rani Wd/o Ishwar is one of the legal representatives and the other is Ankur S/o Ishwar Singh. Bharpai-appellant No.1 could not come present as she is in bed. Kavita Rani Wd/o Ishwar has come present along with her son, Ankur, now major. They have been identified by Mr. Kapil Mohan Singla, Advocate. It is further stated by Mr. Kapil Mohan Singla, Advocate and Smt. Kavita Rani W/o Ishwar Singh that in case of any dispute amongst the other claimants, she will settle at her own level with all or any of them.

As agreed, as per statements of the learned counsel for the appellants, Kavita and Ankur legal representatives of appellant No.2 as well as counsel for the Insurance Company, separately recorded, a sum of Rs.3,00,000/- over and above the amount already awarded by the Tribunal, is awarded to the

appellants. Learned counsel for the appellants further submitted that the entire enhanced amount be paid to Kavita Rani W/o Ishwar Singh for & on behalf of all the appellants in full & final satisfaction of the claim.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit an amount of Rs.3,00,000/- in A/c No.3618108000696 (Kavita), IFSC Code CNRB0003618, Branch Gurana, (photocopy of bank passbook is placed on record) on or before 12.12.2022. Failing compliance of the order, interest @ 9% per annum shall follow on this amount till payment from the date of this order.

Appeal stands disposed of.

Copy of this order be supplied/sent to the counsel/parties and file be consigned to record.

(G.C. GARG)
PRESIDENT

(N.K. KAPOOR)
MEMBER

October 31, 2022

Naina Rajput