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FAO-2390-2005

ACHLA ARYA AND ORS. V/S KANWARDEEP SINGH AND ORS.

Present: Mr. Ashit Malik, Advocate
for the appellants.

Mr. D.P. Gupta, Advocate
Mr. Aseem Aggarwal, Advocate and
Mr. Jagjit Singh Chathrath, Advocate with
Mr. Dinesh Grover, Manager and
for Oriental Insurance Co. Ltd.

On 03.08.2022, on behalf of the appellants statement (separately recorded), was made by learned counsel for the appellants to accept Rs. 25,00,000/- (Rupees Twenty Five Lakhs only) more, over and above, the amount awarded by the MACT concerned, in full and final settlement of the claim in this appeal. Today, on behalf of the Insurance Company concurrence has been given to this effect.

Accordingly, Rs. 25,00,000/- (Rupees Twenty Five Lakhs only) is allowed as further compensation over and above the compensation already awarded by the MACT.

As per the statement of learned counsel for the appellants the enhanced amount would be paid to the appellant No.1-Achla Arya. If Dr. Mahavir Saran Gaumat, proforma respondent No.3, father of the deceased-Vinay Arya claims any share in the enhanced amount awarded by this Forum, the appellants-claimants shall settle the claim with him although no amount was awarded to him in the award.

We dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque in the sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) in the name of the appellant No.1-Achla Arya with the office of the Lok Adalat of the High Court on or before 23.11.2022 failing which the amount will carry 9% interest p.a. from the date of this order till the cheque is deposited with the office of the Lok Adalat. The appellants' counsel/appellant may collect the cheque from the office of the Lok Adalat.

Copy of the order/statement be supplied /sent to the counsel/parties and file be returned to the High Court.

(J.C. Verma)
President

(Arvind Kumar)
Member

21.09.2022