

Bimonthly Lok Adalat**Mohinder Singh and another****Vs.****Rakesh Kumar @ Suresh Kumar and others**

Present: Mr. Amrinder Singh Sidhu, Advocate for the appellants.
Mr. Harsh Aggarwal Advocate
for respondent No.2/Insurance Company Ltd.
Mr. Rajneesh Malhotra, Advocate and
Ms. Vandana Malhotra, Advocate.

The above appeal has been filed by appellants (claimants), seeking modification of the impugned award dated 16.11.2007 in MACT case No.35 dated 31.05.2005 passed by Motor Accident Claims Tribunal, Bathinda, as the compensation amount of Rs.2,40,000/- awarded to them by the Tribunal is on lower side, who have prayed for enhancement of the same.

This appeal is taken up in the Lok Adalat to explore the possibility of settlement between the contesting parties.

During the proceedings, the parties have arrived at an agreement and as per statements of learned counsel for the appellants, learned counsel and representative of the respondent–Insurance Company (separately recorded), a sum of Rs.5,31,250/- over and above the amount awarded by the Tribunal is allowed to the appellants in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants, the enhanced amount be paid to the appellants in the same terms as ordered by Motor Accident Claim Tribunal, Bathinda.

At this stage, learned counsel for the appellants states that the

name of appellant No.1 has been mentioned as Mohinder Singh s/o Mithu Singh in the award as well as in the memo of parties in this appeal, but his correct name is Mahinder Singh s/o Mithu Singh and in this regard, he has produced the copy of his Aadhaar Card.

Learned counsel for insurance Co. does not dispute the above fact and states that indeed the name of the appellant No.1 is Mahinder Singh.

Accordingly, we dispose off this case with a direction to the Insurance Company to deposit a crossed-cheque for Rs.5,31,250/- in the name of appellants with the office of the Lok Adalat of the High Court within forty five days, in compliance of this order, failing which, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The concerned Officer of the Lok Adalat Branch/Office shall issue proper receipt after receiving the cheque 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.

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

(MANOJ BAJAJ)
PRESIDENT

(BALTEJ SINGH)
MEMBER

23.04.2022
jasmine kaur