

507 FAO-4659-2010

DALJIT KAUR AND ORS. VS RAMESH KUMAR AND ORS.

Present: Mr. Swarn Singh-next friend-grandfather
of appellant No.3 in person.
Ms. Khushdeep Kaur (minor)-appellant No.3 in person.
Mr. Lakhwinder Singh, Advocate
for the appellants.

Mr. Rajneesh Malhotra, Advocate
for the Insurance Company.

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AWARD OF LOK ADALAT BENCH NO.5

The appeal stands settled at Rs.6,50,000/- over and above the amount already awarded by the learned Tribunal in terms of consent form dated 08.12.2022 duly signed by both the parties.

During the course of hearing, learned counsel for the appellants has brought to our notice that in the interregnum period, the appellant No.1-wife has re-married and appellant No.2-Amandeep Kaur has also solemnized marriage. Despite, repeated efforts made by the Lok Adalat, none has caused representation on behalf of the appellants No.1 and 2.

In these circumstances, we deem it appropriate to direct the deposit of amount in the name of appellant No.3-Khushdeep Kaur (minor) represented by her grandfather-Mr. Swarn Singh who has been raising the child. The learned counsel has circulated power of attorney of Swarn Singh-grandfather of the minor-appellant No.3 as her next friend. It is directed that the amount shall be deposited with the Office of the Lok Adalat of the High Court by way of cheque in favour of Khushdeep Kaur-appellant No.3 on or before 23.01.2023. The aforesaid amount be kept in the FDR in the name of minor child-Khushdeep Kaur in some nationalised bank and the interest thereupon be disbursed in favour of the grandfather so that day to day expenses including the education of the child are met and her studies do not hamper. Failing compliance of the order, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The appellants' counsel may collect the cheque from the office of the Lok Adalat and the next friend shall deposit the

cheque in the FDR in favour of appellant No.3. Copy of the FDR be filed on record of this case.

Appellants No. 1 and 2 are free to move an application for apportionment of the awarded amount within a year from today.

Appeal stands disposed of.

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

(Jitendra Chauhan)
PRESIDENT

(R.P. Nagrath)
MEMBER

December 08, 2022

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