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**BEFORE THE NATIONAL LOK ADALAT,
PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH**

FAO-872-2010 (O&M)

**MANJEET SINGH
VS
SARJEET AND OTHERS**

Present: Mr. Vijay Singh Yadav, Advocate for the appellant alongwith Mr. Manjeet Singh, Appellant.

Mr. Rajbir Singh, Advocate for ICICI Lombard General Insurance Company.

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CM-4433-CII-2010

This is an application filed under Section 5 of the Limitation Act, for condonation of delay of 32 days in filing the present appeal.

For the reasons stated in the application, which is duly supported by an affidavit, delay of 32 days in filing the appeal is condoned.

Application is allowed.

Main case

This is an appeal filed by the appellant-claimant for enhancement of the compensation awarded by the Tribunal while seeking modification of the award.

It has been brought to the notice of this Court that the matter has been compromised. The statement of Mr. Vijay Singh Yadav, Advocate alongwith Mr. Manjeet Singh, appellant has been recorded, which is reproduced herein below:-

"Statement of Sh. Manjeet Singh s/o Suraj Bhan, R/o Dalanwas, Teh & Distt. Sh. Vijay Singh Yadav, Advocate,

learned counsel for the applicant(s)/appellant(s)/claimant(s).

On the instructions of my client(s), I am prepared to accept Rs.4,50,000/- Rupees Four Lakh Fifty Thousand only, over and above the amount already awarded by the MACT.

This would be in full and final satisfaction of the claim of the appellant(s) in the appeal.

The aforementioned amount may be paid to appellant No.______ in proportion as already awarded by the MACT.

RO & AC

Signatures: Sd/- Manjeet Singh,

Identified bySd/- V. Singh Yadav

Place: Chandigarh

Dated:13.08.2022"

The statement of Sh. Rajbir Singh Advocate for the Insurance Company has been recorded, which is reproduced herein below:-

"Statement of Sh. Rajbir Singh, Advocate/Dy. Manager/Manager/authorized representative of ICICI Lombard GIC.

I/we agree on behalf of the respondent-company for full and final settlement of compensation at Rs.4,50,000/- (Rupees Four Lakh Fifty Thousand only), over and above the amount of Rs._____ already awarded by the MACT with an undertaking to pay/deposit the same as per the orders that may be passed by the Lok Adalats (Daily/Bimonthly/National), failing which interest at the rate 9% per annum shall follow from the date of the settlement before the Hon'ble Bench..

Name, Mobile No. Enrolment No. and e-mail I.D. Of Claimant's Advocate is P.R. Yadav

Note:- Please tick the appropriate option

(a) Whether consent of counsel for the claimant/appellant have been obtained:- Yes/No

(b) Whether settled/non settled/want more time:

RO/AC

Signatures: Sd/- Rajbir Singh

Name of the Officer with Mobile Number and e-mail I.D.

Place: Chandigarh

Dated: 13.08.22"

A perusal of the above statements would show that the appellant/claimant as well as the Insurance Company have compromised the matter by stating that a compensation of Rs.4,50,000/- over and above the amount already awarded by the Tribunal, will be paid by the Insurance Company to the appellant/claimant.

Counsel appearing for the respondent-Insurance Company has further stated that the said amount would be paid by the Insurance Company to appellant within a period of 6 weeks from today, failing which the interest @ 9% p.a. shall follow from the date of the settlement before the Lok Adalat till the date of payment.

Insurance Company has further stated that a cheque amounting to Rs.4,50,000/- in the name of appellant, will be deposited with the office of the Lok Adalat of this High Court on or before 26.09.2022, failing which the interest @ 9% p.a. shall follow at this amount till the payment is made, from the date of this order.

In view of the above, we are of the opinion that the compromise is genuine and *bona fide* and in the best interest of the claimant as well as all the parties concerned.

Accordingly, the appeal is disposed of as having been compromised and the compromise shall be treated as part and parcel of the award, and the order of the Tribunal, stands modified in terms of the said compromise. The parties will be bound by the said compromise.

The concerned officer of the Lok Adalat Branch/Office shall issue proper receipt after receiving the Cheque/Demand Draft to learned counsel/representative of the respondent-Insurance Company. The appellant (s)/ counsel for appellant(s) may collect the cheque from the office of the Lok Adalat.

(VIKAS BAHL)
PRESIDENT

(PAWAN KUMAR MUTNEJA)
MEMBER

August 13, 2022
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