

NATIONAL INSURANCE CO. LTD V/S BALJIT KAUR AND ORS

Present:- Mr. Lalit Garg, Advocate and  
Mr. Naveen Kapoor, Advocate with  
Mr. Gopal Krishan, Deputy Manager and  
Mr. Vivek Suman, AM  
for the appellant-National Ins. Co. Ltd. (in FAO-4029-2015)  
for respondent No.3-National Ins. Co. Ltd. (in FAO-8154-2016)

Mr. Navmohit Singh, Advocate  
for the appellants (in FAO-8154-2016)  
for respondents Nos.1 to 3(in FAO-4029-2015)

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This common order shall dispose of the claimant's appeal bearing FAO-8154-2016 and the appeal of the Insurance Company bearing FAO-4029-2015.

Brief facts of the case are that the claimants were awarded a total compensation of Rs.12,55,600/- along with interest at the rate of 7.5% per annum from the date of petition vide award dated 10.03.2015 passed by Motor Accident Claims Tribunal, Kurukshetra.

The Insurance Company filed an appeal No.4029 -2015 for reduction of the amount of compensation wherein vide order dated 07.07.2015, it was ordered that the amount of Rs.2,50,000/- be released to the claimants against proper surety and the remaining amount be released to the claimants without surety as per rules. The claimants have also filed an appeal bearing FAO-8154-2016 seeking enhancement of the compensation. Both the appeal are fixed before this Forum for settlement. The matter has been settled.

Agreeing the contention of the Insurance Company, learned counsel for the appellants-claimants has withdrawn the appeal seeking enhancement of compensation.

In Insurance Company's appeal, the matter has been settled and the appellants -claimants have agreed to refund/return the amount of Rs.90,000/- to the Insurance Company, within a period of six weeks before the MACT/executing Court, Kurukshetra (from where an amount of Rs.2,50,000/- stated to have already been released to the claimants-appellants against the surety) as per said order dated 07.07.2015 passed by this

The Insurance Company shall file an application before the MACT/executing Court, Kurukshetra seeking refund/return of the said amount of Rs.90,000/- to be paid by the claimants-appellants, within the said stipulated period.

With these observations, both the appeals stand disposed of.

A photocopy of this order be placed on the file of connected case.

**(J.C. VERMA)**  
**PRESIDENT**

**(ARVIND KUMAR)**  
**MEMBER**

11.07.2022  
Atul