

Bimonthly Lok Adalat

Magma HDI General Insurance Co. Ltd.

Vs.

Ajitpal and others

Present: Mr. Pankaj Mehta, Advocate for the appellant.

Ms. Deepika, Advocate
for respondent No.1/cross-objector.

None for respondents No.2 and 3.

The above appeal has been filed by appellant (insurance company) to Challenge the impugned award dated 19.03.2016 in MACT case No.67 of 2014 passed by Motor Accident Claims Tribunal, Rewari, on the ground that compensation awarded to the claimant (respondent No.1) is on higher side.

In above appeal, (claimant-respondent No.1) has also filed the cross-objection against the impugned award dated 19.03.2016, as the compensation amount of Rs.35,103/- awarded to him by the Tribunal is on lower side, who has prayed for enhancement of the same.

The appeal as well as cross-objections were taken up in the Lok Adalat to explore the possibility of settlement between the contesting parties relating to the quantum of compensation.

During the proceedings, as per statements of learned counsel for the appellant-Insurance Company and learned counsel for the claimant-respondent No.1 (separately recorded), a sum of Rs.45,000/- (Rs. Forty Five thousand only) over and above the amount awarded by the Tribunal is allowed to respondent No.1 in full and final settlement of the claim in this

cross appeal.

At the same time, learned counsel for insurance Co., on instructions from Harbhajan Singh, Asst. Legal Manager, Magma HDI General Insurance Co. Ltd., states that as the parties have entered into a settlement and a sum of Rs.45,000/- is being paid to the complainants towards enhanced compensation, therefore, nothing survives for adjudication in FAO-3823-2016 and the same is rendered infructuous.

As per the statement of learned counsel for claimant-respondent No.1, the enhanced amount be paid to respondent No.1.

Accordingly, we dispose off these cases with a direction to the Insurance Company to deposit a crossed-cheque for Rs.45,000/- in the name of respondent No.1 with the office of the Lok Adalat of the High Court within forty days from today, 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 appellant–Insurance Company. The counsel for claimant-respondent No.1 may collect the cheque from the office of the Lok Adalat.

**(MANOJ BAJAJ)
PRESIDENT**

**(BALTEJ SINGH)
MEMBER**