National Lok Adalat

524-2 **FAO-4853-2016 (O&M)**

Chhindo and another Versus Nanak Singh and others

Present: Mr. J.S. Dadwal, Advocate
for the appellants.

Mr. Rajbir Singh, Advocate
for the Insurance-Company.

* * * *

Instant appeal has been filed by the appellants seeking enhancement of the compensation awarded by the learned Motor Accident Claims Tribunal, Shaheed Bhagat Singh Nagar vide its award dated 09.05.2012, to the tune of ₹2,00,000/- along with interest @ 6% p.a. if payment made within three months, failing which @ 8% per annum. Interest was to be calculated from the date of filing of the claim petition till realization.

It has been brought to the notice of this Bench that the matter has been amicably settled. Statements of both the parties/counsel have been recorded separately, which are taken on record as mark 'A' and 'B', respectively.

A perusal of the statements would show that the appellants as well as respondent-Insurance Company have amicably settled the matter by stating that an amount of ₹7,00,000/- (Rupees Seven Lakh only) over and above the amount already awarded by the Motor Accident Claims Tribunal, Shaheed Bhagat Singh Nagar will be paid as full and final settlement by the Insurance Company to the appellants.

Learned counsel appearing for respondent-Insurance Company has further stated that the said enhanced amount would be paid by the Insurance Company to appellants (as apportioned by the Tribunal; as agreed) within a period of 5 weeks, failing which interest @ 9% p.a. shall follow on the above said amount till payment from the date of this

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order.

It is further stated that two respective cheques total amounting to ₹7,00,000/- in the name of appellants will be deposited with the office of the Lok Adalat within the aforesaid period failing which interest @ 9 % p.a. shall accrue on the said amount from the date of this order, till its realization. The Insurance Company also has the option to transfer the amounts by way of RTGS, on details being furnished by counsel for the claimant(s).

In view of the above, we are of the considered opinion that the settlement is genuine and *bona fide* and in the best interest of the litigating parties.

Accordingly, instant appeal is disposed of as having been amicably settled. The settlement shall be treated as part and parcel of the award and the impugned award passed by the learned Motor Accident Claims Tribunal, Shaheed Bhagat Singh Nagar stands modified as indicated above. The parties will be bound by the said settlement.

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

As the main appeal has been disposed of, no separate order needs to be passed in the pending application(s), if any.

(VIKAS SURI)
President

(PAWAN KUMAR MUTNEJA)
Member

May 14, 2022
Sachin M.

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