

National Lok Adalat through Video Conferencing

555(3)

FAO-88-2016 (O&M)

Tarawati

Versus

Rajesh Kumar and others

Present: Mr. J.P. Jangu, Advocate
for the appellant-applicant.

Mr. Puneet Jain, Advocate
for the Insurance Company.

* * * *

The learned Motor Accident Claims Tribunal, Rewari vide its award dated 09.04.2015, has awarded compensation to the tune of Rs.1,04,700/- along with interest @ 7.5 % p.a. from the date of filing of the claim petition till realization. The present proceedings were instituted to seek enhancement of compensation.

It has been brought to the notice of this Bench that without engaging in contest, 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 said statements would show that the appellant-applicant as well as respondent-Insurance Company have amicably settled the matter by mutually agreeing that an amount of Rs.30,000/- (Rupees Thirty Thousand only) over and above the amount already awarded by the Tribunal will be paid as full and final settlement by the Insurance Company to the appellant-applicant.

Learned counsel appearing for the respondent-Insurance Company has further stated that the said amount would be paid by the Insurance Company to the appellant-applicant (as agreed) within a period

of 45 days from today, failing which interest @ 9 % p.a. shall follow from the date of the settlement before the Lok Adalat till the date of payment.

It is further stated that a cheque for a sum of Rs.30,000/- in the name of the appellant-applicant will be deposited with the office of the Lok Adalat on or before 25.04.2022, failing which interest @ 9 % p.a. shall accrue on the said amount from the date of this order, till its realization.

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, the instant case is disposed of as amicably settled in terms of the aforesaid consensus, which is the basis for recording this order/award. The parties will remain bound by the same. The grievance against the award passed by the Tribunal stands satisfied in view of the above.

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

(VIKAS SURI)
President

(PAWAN KUMAR MUTNEJA)
Member

March 12, 2022
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