

509

FAO-2592-2018 (O&M)

BHAGWATI AND OTHERS V/S SANJEET KUMAR AND OTHERS

Present:- Mr. Abhilaksh Grover, Advocate
for the appellants.

Mr. Punit Jain, Advocate
for respondent No. 3-HDFC ERGO General Insurance Company Ltd.

On the last date of hearing following order was passed:-

“While granting compensation, The Motor Accident Claims Tribunal has applied multiplier of 11, treating the age of the deceased as 52 years, whereas, as per photocopy of Aadhar Card placed on record, by moving an application for additional evidence, the age appears to be 48 years, which will require application of multiplier of 13. Furthermore, future prospects have also been granted by 15%, whereas it should have been 25%. Taking note of all these things, we are of the opinion that matter can be settled on making payment of an amount of Rs.2,50,000/- over and above the amount already awarded by learned MACT, to which counsel for the appellant has shown his concurrence and he has signed the proposal statement.

To us, this offer seems to be just, reasonable and equitable in the facts and circumstances of the case. Learned counsel for the respondent-Insurance Company prays for time to get concurrence from the concerned authority.

To come up on 23.11.2022

Copy of the order be supplied to the representative/counsel of the respondent-Insurance Company.”

Mr. Sukhsharan SRA, Advocate for the appellant was present. He signed the consent agreement, showing willingness to accept an amount of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) towards full and final settlement of the claim in the present appeal.

has also signed the said statement today accepting the proposal made by the appellants.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit crossed cheques in the sum of Rs.2,50,000/-(Rupees Two Lakhs Fifty Thousand Only) in the respective names of all the appellants in the same proportion as awarded by MACT with the office of the Lok Adalat of the High Court on or before 13.01.2023. Failing compliance of the order, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The appellants' counsel may collect the cheques from the office of the Lok Adalat after retaining the photocopy of the cheque/draft bearing signatures of the Counsel.

Appeal stands disposed of.

Copy of this order be supplied/sent to the counsel/parties and file be consigned to record.

(K.C. GUPTA)
PRESIDENT

(B.C. GUPTA)
MEMBER

23.11.2022
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