

MOHAMMAD JUNED KHAN @ JUNED V/S SALMU DIN & ORS

Present: Mr.Ashish Gupta, Advocate for the appellant.

Mr.Amit Kumar Goyal, Advocate and
Mr.Rishav Soni, Advocate, with
Mr.Prashant Pratap Singh, Legal Manager
Royal Sundaram Alliance Gen. Ins. Co. - respondent No.3.

* * * *

Vide order dated 22.03.2022, on behalf of the appellant, proposal was made to enhance compensation by ₹3,50,000/- over and above the amount awarded by the MACT in full and final settlement of the claim in this appeal and the matter was adjourned for concurrence of the respondent - Insurance Company. Thereafter, vide orders dated 13.05.2022 and 05.07.2022, the concerned Officer of the respondent – Insurance Company was ordered to remain present as learned counsel for the respondent - Insurance Company had stated that Company is not agreeable to the proposal for enhancement to the tune of ₹3,50,000/-. The concerned Officer of the respondent – Insurance Company has come present today.

We have heard learned counsel for both the parties as well as representative of the Insurance Company.

After discussion, representative of the respondent – Insurance Company states that Company is agreeable to pay only an amount of ₹2,00,000/- and not ₹3,50,000/- over and above the amount awarded by the MACT. This counter-offer of ₹2,00,000/- has been accepted by learned counsel for the appellant, who has signed the statement to that effect.

Thus, as agreed, as per statements of learned counsel for the appellant, learned counsel and representative of the respondent – Insurance

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Company (separately recorded), a sum of ₹2,00,000/- (₹ Two Lakh Only) over and above the amount awarded by the Tribunal is allowed to the appellant in full and final settlement of the claim in this appeal.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit a crossed – cheque for ₹2,00,000/- in the name of the appellant – Mohammad Juned Khan alias Juned son of Fajaruddin alias Fajru with the office of the Lok Adalat of the High Court on or before 22.08.2022, 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 respondent – Insurance Company. The appellant(s)' counsel/appellant(s) may collect the cheque from the office of the Lok Adalat.

Copy of the order be supplied/sent to the counsel/parties and file be returned to the Hon'ble High Court.

(R.K.Nehru)
President

(Ram Chand Gupta)
Member

20.07.2022
P.Seth