

FAO-5272-2018 (O&M)

VIKAS V/S JANU @ JAN MOHAMMAD & ORS

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

Mr. Punit Jain, Advocate
for respondent No. 3-TATA AIG General Ins. Co. Ltd.

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 163 days in filing and 534 days in re-filing the present appeal at any juncture and as such, in view of the settlement that has been arrived between the parties, the delay in filing the appeal is condoned.

On 11.07.2022, on behalf of the appellant statement (separately recorded), was made by learned counsel for the appellant to accept Rs.80,000/- (Rupees Eighty thousand only) more, over and above, the amount awarded by the MACT concerned, in full and final settlement of the claim in this appeal. Today, on behalf of the Insurance Company concurrence has been given to this effect.

Accordingly, Rs.80,000/- (Rupees Eighty thousand only) is allowed as further compensation over and above the compensation already awarded by the MACT.

We dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque in the sum of Rs.80,000/- (Rupees Eighty thousand only) in the name of the appellant-Vikas with the office of the Lok Adalat of the High Court on or before 31.08.2022 failing which the amount will carry 9% interest p.a. from the date of this order till the cheque is deposited with the office of the Lok Adalat. The appellant's counsel/appellant may collect the cheque from the office of the Lok Adalat.

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

(J.C. Verma)
President

(Arvind Kumar)
Member