520-A

BEFORE THE NATIONAL LOK ADALAT,
PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

FAO-7311-2018 (O&M)

PALA RAM
VS
SANTOKH SINGH AND OTHERS

Present: Mr. Nagar Singh, Advocate for the appellant.

Mr. Rajesh Kumar Sharma, Advocate with
Mr. Gopal Krishan, Deputy Manager and
Mr. Vivek Suman, Assistant Manager
for National Insurance Company Limited.

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CM-26654-CII-2018

This is an application filed under Section 5 of the Limitation Act, for condonation of delay of 535 days in filing the present appeal.

For the reasons stated in the application, which is duly supported by an affidavit, delay of 535 days in filing the appeal is condoned.

Application is allowed.

Main case

This is an appeal filed by the appellant-claimant for enhancement while seeking modification of the award.

It has been brought to the notice of this Court that the matter has been compromised. The statement of Mr. Nagar Singh, Advocate appearing for the appellant/claimant has been recorded, which is reproduced herein below:-

"Statement of Sh. Nagar Singh, Advocate, learned counsel for

the applicant(s)/appellant(s)/claimant(s).

On the instructions of my client(s), I am prepared to accept Rs.45,000/- Rupees Forty Five Thousand only, over and above the amount already awarded by the MACT.

This would be in full and final satisfaction of the claim of the appellant(s) in the appeal.

The aforementioned amount may be paid to appellant No.___, in proportion as already awarded by the MACT.

RO & AC

Signatures: Sd/- Nagar Singh

Place: Chandigarh

Dated: 13.08.2022"

The statement of Sh. Rajesh K. Sharma, Advocate for the National Insurance Company Limited has been recorded, which is reproduced herein below:-

"Statement of Sh. Rajesh K. Sharma Advocate/Dy. Manager/Manager/authorized representative of National Insurance Co. Ltd.

I/we agree on behalf of the respondent-company for full and final settlement of compensation at Rs.45,000/- (Rupees Forty Five Thousand only), over and above the amount of Rs._____ already awarded by the MACT with an undertaking to pay/deposit the same as per the orders that may be passed by the Lok Adalats (Daily/Bimonthly/National), failing which interest at the rate 9% per annum shall follow from the date of the settlement before the Hon'ble Bench..

Name, Mobile No. Enrolment No. and e-mail I.D. Of Claimant's Advocate is _____

Note:- Please tick the appropriate option

(a) Whether consent of counsel for the claimant/appellant have been obtained:- Yes/No

(b) Whether settled/non settled/want more time:

RO/AC

Signatures: Sd/-

Name of the Officer with Mobile Number and e-mail I.D.

Place:

Dated: ”

A perusal of the above statements would show that the appellant/claimant as well as the Insurance Company have compromised the matter by stating that a compensation of Rs.45,000/- over and above the amount already awarded by the Tribunal, will be paid by the Insurance Company to the appellant/claimant.

Counsel appearing for the respondent-Insurance Company has further stated that the said amount would be paid by the Insurance Company to appellant within a period of 6 weeks from today, failing which the interest @ 9% p.a. shall follow from the date of the settlement before the Lok Adalat till the date of payment.

Insurance Company has further stated that a cheque amounting to Rs.45,000/- in the name of appellant, will be deposited with the office of the Lok Adalat of this High Court on or before 26.09.2022, failing which the interest @ 9% p.a. shall follow at this amount till the payment is made, from the date of this order.

In view of the above, we are of the opinion that the compromise is genuine and *bona fide* and in the best interest of the claimant as well as all the parties concerned.

Accordingly, the appeal is disposed of as having been compromised and the compromise shall be treated as part and parcel of the award, and the order of the Tribunal, stands modified in terms of the said compromise. The parties will be bound by the said compromise.

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

(VIKAS BAHL)
PRESIDENT

(PAWAN KUMAR MUTNEJA)
MEMBER

August 13, 2022
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