

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

(526)

FAO-152-2019

**Usha Rani Sood and another
Vs.
Sanjay Kumar Yadav and others**

Present: Mr. Arnav Sood, Advocate for the appellants.

Mr. Satpal Dhamija, Advocate
for respondent No.2-Insurance Company.

This is an appeal filed by the appellants-claimants for enhancement while seeking modification of the award dated 31.08.2018, vide which the learned Motor Accident Claims Tribunal, Hoshiarpur (hereinafter to be referred as “the Tribunal”) has awarded an amount of Rs.3,87,741/- alongwith interest @ 6% per annum from the date of filing of the claim petition till realisation of the amount so awarded.

It has been brought to the notice of this Court that the matter has been compromised. The statement of Mr. Arnav Sood, Advocate appearing for the appellants/claimants has been recorded, which is reproduced herein below:-

“Statement of Sh. Arnav Sood (P-2935/2008), Advocate, learned counsel for the applicant(s)/appellant(s)/claimant(s).

On the instructions of my client(s), I am prepared to accept Rs.1,80,000/- Rupees One Lac & Eighty 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 appellants, in proportion as already awarded by the MACT.

RO & AC

Signatures: Sd/- Arnav Sood, P/2935/08

Place: Chandigarh

Dated: 11.05.2022”

The statement of Sh. Satpal Dhamija, Advocate for the Insurance Company has been recorded, which is reproduced herein below:-

“Statement of Sh. Satpal Dhamija, Advocate learned counsel for the New India Assurance Co. Ltd.

On the instructions of my client(s), I agreed to settle Rs.1,80,000/- Rupees One Lac & Eighty 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/- Satpal Dhamija

Place: Chandigarh

Dated: 14.05.2022. ”

A perusal of the above statements would show that the appellants/claimants as well as the Insurance Company have compromised the matter by stating that a compensation of Rs.1,80,000/- over and above the amount already awarded by the Tribunal, will be paid by the Insurance Company to the appellants/claimants.

Counsel appearing for the respondent-Insurance Company has further stated that the said amount would be paid by the Insurance Company to the appellants within a period of 4 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.1,80,000/- in the name of appellants, will be deposited with the office of the Lok Adalat of this High Court on or before 14.06.2022, failing which the interest @ 9% p.a. shall follow on this amount till the payment 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 claimants 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

(AMIT JHANJI)
MEMBER

May 14, 2022
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