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FAO-1727-2020 (O&M)

MANGE RAM AND ANR V/S RAJ KUMAR AND ORS

Present: Mr.Sandeep Yadav, Advocate,
for the appellants.

Mr.Rajbir Singh, Advocate, with
Mr.Amit Vyas, Deputy Manager,
Shri Ram Gen. Ins. Co. Ltd. - respondent No.3.

* * * *

The matter has been again discussed. Initially, it was stated by learned counsel for the respondent-Insurance Company that Insurance Company is ready to pay ₹4,90,000/- over and above the amount of compensation already awarded by the MACT by taking income of the deceased as ₹9,587/-. However earlier, the calculation was made by taking income of the deceased as ₹10,064/- as he was a student of B.Tech. Though initially learned counsel for the appellants was also not agreeing to reduce the amount by ₹6,00,000/-, offer of which was given by him on the last date of hearing, however, after intervention by the Court, both the parties agreed to settle at ₹5,50,000/-.

Thus, as agreed, as per statements of learned counsel for the appellants, learned counsel and representative of the Insurance Company (separately recorded), a sum of ₹5,50,000/- (₹ Five Lakh Fifty Thousand Only) over and above the amount awarded by the Tribunal is allowed to the appellants in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants, the enhanced amount be paid to appellant No.1 - Mange Ram son of Sant Ram.

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Accordingly, we dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque for ₹5,50,000/- in the name of appellant No.1 - Mange Ram son of Sant Ram with the office of the Lok Adalat of the High Court on or before 04.09.2023, in compliance of this order, failing which, interest @ 9% per annum shall follow on this amount from the date of this order till payment. 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

25.07.2023
P.Seth