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FAO-1118-2012 (O&M)

MAHINDER KAUR V/S ASHOK KUMAR AND ANOTHER

Present:- Mr. Yashveer Kharab, Advocate
for the appellant.

Mr. Sumit Gupta, Advocate
for respondent No.1.

Mr. Punit Jain, Advocate
for respondent No.2-New Assurance Company Limited.

AWARD OF LOK ADALAT BENCH NO.4

Power of Attorney has been filed by Mr. Yashveer Kharb, Advocate and same is taken on record.

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 67 days in 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.

Learned counsel for the appellant has apprised this Bench that the appellant-Mahinder Kaur has died during the pendency of this appeal. He has brought the death certificate, which be placed on record and also filed Power of Attorney on behalf of the LR's to be impleaded before the MACT, Panipat and now in view of the settlement he will file an application for bringing on record the legal representatives of the appellant before the concerned MACT, Panipat and also for release of the settled amount accordingly.

As agreed, (statements of learned counsel for the appellant as well as counsel for the Insurance Company, separately recorded) a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) over and above the amount already awarded by the

Panipat in full and final settlement of the claim. As per the statement of learned counsel, the enhanced amount will be paid to the LRs of the appellant so impleaded as per the order of the concerned MACT, Panipat.

Learned counsel for the Insurance company agrees to deposit the settled amount before the concerned MACT, Panipat.

Accordingly, we dispose of this case with a direction to the parties to do the needful within a period of two months. After impleading the LRs of the appellant before the MACT, Panipat, the Insurance Company will deposit crossed-cheque(s) in the sum of Rs.7,00,000/-(Rupees Seven Lakhs only) in the name of the LRs of the appellant before the concerned MACT, Panipat within 30 days from the date of order of concerned MACT, failing which the amount will carry 9% interest p.a. till the cheque is deposited before the MACT.

Appeal stands disposed of.

Copy of this order be supplied/sent to the counsel/parties and file be consigned to the record room.

(DR. H.C. MODI)
PRESIDENT

(B.S. SIDHU)
MEMBER

18.05.2023
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