

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

141

CR-4646-2023

Date of Decision : 18.08.2023

ICICI Lombard General Insurance Company Ltd.Petitioner

Versus

Anisha and othersRespondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Sachin Ohri, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant revision petition challenging the order dated 02.05.2023 (Annexure P-1) passed by learned Motor Accident Claim Tribunal, Palwal in Execution Petition No.EXE-199-2021 titled as 'Anisha and others Vs. ICICI Lambard General Insurance Co. Ltd.' whereby the petitioner/Insurance Company has been directed to make payment of interest on Rs.21,00,000/- as per award dated 10.07.2021 from the date of institution i.e. 21.12.2018 till 01.09.2021 when Rs.21,00,000/- were paid.

2. Admittedly, the claim petition filed by the respondents were disposed of by the National Lok Adalat, Palwal vide order dated 10.07.2021 whereby the petitioner/Insurance Company was directed to pay Rs.21,00,000/- to the claimants within a period of 45 days failing which they shall be liable to pay the same along with interest @ 6% per annum from the date of institution of the claim petition till realization.

Since, the amount of Rs.21,00,000/- was not paid within 45 days and

was paid on 01.09.2021, therefore, the claimants were clearly entitled for interest @ 6% per annum from the date of institution of the claim petition till realization. The said order has been ordered to be executed in the impugned order. It is a well settled law that the Executing Court cannot go beyond the order passed in the main proceedings. The order dated 10.07.2021 passed by the National Lok Adalat, Palwal has become final and as the same has never been questioned by the petitioner/Insurance Company, therefore, there is no illegality or perversity in the impugned order dated 02.05.2023 passed by learned Motor Accident Claim Tribunal, Palwal.

3. Dismissed.

18.08.2023

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(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No