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FAO-1500-2014 (O&M)

JAMILA V/S KAMRU AND ORS

Present:- Mr. Ashish Gupta, Advocate
for the appellant.

Mr. Lalit Garg, Advocate
for respondent No.3-National Insurance Company Limited.

AWARD OF LOK ADALAT BENCH NO.4

CM-5151-CII-2014

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 91 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.

Main case

On the last date of hearing following order was passed:-

“Learned counsel for the appellant states that in case an amount of Rs.1,30,000/- over and above, the amount already paid to the appellant by learned MACT, is paid, this appeal can be settled. Counsel for the appellant has signed the proposal sheet.

To us, this offer seems to be just, reasonable and equitable in the facts and circumstances of the case. Learned counsel for the respondent-Insurance Company prays for time to get concurrence from the concerned authority.

To come up on 16.08.2023.

Copy of the order be supplied to the representative/counsel of the respondent-Insurance Company.”

Mr. Ashish Gupta, Advocate for the appellant was present. He signed the consent agreement, showing willingness to accept an amount of Rs.1,30,000/-

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(Rupees One Lakh Thirty Thousand Only) towards full and final settlement of the claim in the present appeal. As per the statement of learned counsel for the appellant, the enhanced amount will be paid to the appellant-Jamila.

Mr. Lalit Garg, Advocate for respondent No.3-Insurance Company has also signed the said statement today accepting the proposal made by the counsel for the appellant.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit cheque for Rs.1,30,000/-(Rupees One Lakh Thirty Thousand Only) favouring appellant-Jamila w/o Noora with the office of the Lok Adalat of the High Court on or before 02.10.2023. Failing compliance of the order, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The appellant's counsel may collect the cheque from the office of the Lok Adalat after retaining the photocopy of the cheque/draft bearing signatures of the Counsel.

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.C. GUPTA)
MEMBER

16.08.2023
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