

FAO-4348-2013 (O&M)

Raghbir Singh Vs. Rachna and others

Present:- Mr. Saurabh Bhardwaj, Advocate
for the appellant.

Mr. PHS Pannu, Advocate and
Mr. Subhash Goyal, Advocate
for respondent No.3-Bajaj Allianz Co. Ltd.

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 1168 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.

As agreed, as per statement of the learned counsel for the Insurance Company and counsel for the appellant, (separately recorded today), a sum of Rs.2,80,000/- (Rupees Two Lakh Eighty thousand only) is to be given to the Insurance Company as the recovery rights have been given to Insurance Company to recover the amount of compensation from the owner appellant in all the cases i.e. MACT Case Nos. 93/2008, 94/2008, 95/2008 and 96/2008 appellants, in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants amount would be paid to the Insurance Company.

We dispose of this case with a direction to the owner Raghbir Singh to deposit a crossed-cheque in the sum of Rs.2,80,000/- (Rupees Two Lakh Eighty thousand only) in favour of the Insurance Company with the office of the Lok Adalat of the High Court on or before 08.02.2024 failing which the amount will carry 9% interest p.a. from the date of this order till the cheque is deposited with the office of the Lok Adalat. After depositing the cheque within the stipulated time, there will be no further liability upon the appellants-owner. Learned counsel for the Insurance Company may collect the cheque from the office of the Lok Adalat.

Copy of the order/statement be supplied /sent to the counsel/parties and file be returned to the High Court.

(J.C. VERMA)
PRESIDENT

(ARVIND KUMAR)
MEMBER

08.11.2023