

FAO-4025-2014 (O&M)

BABLI AND OTHERS VS. SURESH KUMAR AND ORS

Present:- Mr. Amit K. Jain, Advocate
for the appellants.

Mr. Sanjeev Kodan, Advocate and
Mr. Satpal Dhamija, Advocate
for Reliance Gen. Ins. Co. Ltd-respondent No.3.

Mr. Amit K. Jain, Advocate has put in appearance on behalf of the appellants and filed his Vakalatnama.

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 246 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.

Vide order dated 27.01.2023 on the basis of the statement made by learned counsel for the appellants a proposal was made for enhancing compensation by Rs. 5,75,000/- over and above the amount already granted by the MACT concerned. Today, learned counsel for the Insurance Company has stated that the Insurance Company has agreed to enhance the compensation only by Rs.4,75,000/- and not by Rs. 5,75,000/- and has signed to that effect. Learned counsel for the appellants has agreed to this counter offer of the respondent-Insurance Company.

We dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque in the sum of Rs.4,75,000/- (Rupees Four Lakhs Seventy Five Thousand only) in the name of the appellant No.1-Babli with the office of the Lok Adalat of the High Court on or before 11.04.2023 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. The appellant's counsel/appellant 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.

(ARVIND KUMAR)
PRESIDENT

28.02.2023
Atul

(H.C. MODI)
MEMBER