

FAO-2327-2016 (O&M)

KULDEEP AND ORS V/S KALA @ DHARMENDER AND ORS

Present:- Mr. Sandeep Thakan, Advocate
for the appellants.

Mr. Sanjeev Goyal, Advocate
for respondent No.3-Bharti AXA Gen. Ins. Co. Ltd.
(now ICICI Lombard Gen. Ins. Co. Ltd.)

Mr. Punit Jain, Advocate
for respondent No.6-Shri Ram Gen. Ins. Co. Ltd.

In the backdrop of settlement between the parties, the Insurance Companies have not opposed the condonation of delay of 76 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 representatives of the Insurance Companies and counsel for the appellants, (separately recorded on 23.01.2023), a sum of Rs.50,000/- (Rupees Fifty Thousand only) more, over and above, the amount awarded by the Tribunal is allowed to the appellants, in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants the enhanced amount would be paid to the appellant No.1.

We dispose of this case with a direction to both the Insurance Companies i.e. Bhartia AXA Gen. Ins. Co. Ltd. (now ICICI Lombard Gen. Ins. Co. Ltd.)-respondent No.3 and Shri Ram Gen. Ins. Co. Ltd.-respondent No.6 respectively to deposit crossed-cheque in the sum of Rs.25,000/- (Rupees Twenty Five thousand only) (being 50% liability of each company as per award dated 26.08.2015) each in the name of the appellant No.1-Kuldeep with the office of the Lok Adalat of the High Court on or before 28.02.2023 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.

(J.C. Verma)
President

(Arvind Kumar)
Member

31.01.2023