

507 (4)

FAO-4015-2016 (O&M)

SHIV HARI V/S CHHOTU & ORS

Present:- Mr. Rohit Rana, Advocate
for the appellant.

Mr. Suvir Dewan, Advocate
for respondent No.3-New India Assurance Company Ltd.

Mr. Nigam Bhardwaj, Advocate
for respondent No.6-Sriram General Insurance Company Ltd.

AWARD OF LOK ADALAT BENCH NO.4

CM-13794-CII-2016

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 314 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(s) in FAO-3780-2016 and FAO-4015-2016 on instructions submits that if total amount of compensation is enhanced to Rs.5,50,000/- plus interest, as per calculation to be made, he is ready to settle the dispute. Mr. Jawahar, appellant No-2 in person in FAO-3780-2016 and Mr. Shiv Hari, appellant in person in FAO-4015-2016 have signed the proposal sheet in this regard.

On request made by learned counsel for the Insurance Company, adjourned to 06.11.2023.

A photocopy of this order be placed on the files of connected cases.”

Mr. Rohit Rana, Advocate for the appellant signed the consent proposal

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Four Lakhs Fifty Thousand Only) including interest, towards full and final settlement of the claim in the present appeal.

Learned counsel for the appellant stated that agreed amount be released in favour of appellant-Shiv Hari.

Mr. Nigam Bhardwaj, Advocate for respondent No.6-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.4,50,000/-(Rupees Four Lakhs Fifty Thousand Only) favouring appellant-Shiv Hari s/o Sh. Prem Raj, with the office of the Lok Adalat of the High Court on or before 30.12.2023. 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.

(JASBIR SINGH)
PRESIDENT

(L.N. MITTAL)
MEMBER

06.11.2023
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