

FAO-5095-2016

PARTAP SINGH VS SAJJAN SINGH AND ANR

Present: Mr. Jasbir Mor, Advocate,
Mr. Gobind Mor, Advocate,
for the appellant.

Mr. Nigam K. Bhardwaj, Advocate
for the Insurance Company.

AWARD OF LOK ADALAT BENCH NO.5

Learned counsel for the Insurance Company states that the amount towards salvage needs to be deducted from the calculation. At this stage, learned counsel for the appellant states that he has not claimed any amount from any other Insurance Company/agency against salvage in question or for damage of the vehicle suffered in the accident. Considering that the Insurance Company shall be at liberty to recover the entire amount in case at any subsequent stage, it comes to the notice of the Insurance Company that the amount in question has been claimed by the appellant from any other Insurance Company or agency or source.

The appeal stands settled at Rs.1,68,000/- over and above the amount already awarded by the learned Tribunal in terms of consent form dated 31.05.2023 duly signed by both the parties.

Accordingly, this award is made with the direction to the Insurance Company to deposit the enhanced amount of Rs.1,68,000/- (Rupees One Lac and Sixty Eight Thousand Only) by cheque/draft, in favour of appellant-Partap with the Office of the Lok Adalat of the High Court on or before 26.07.2023. 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/draft from the office of the Lok Adalat. The office

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shall retain the photocopies of the cheque/draft bearing signatures of the Counsel.

Appeal stands disposed of in terms of the settlement.

Copy of this order be supplied/sent to the counsel/parties and file be consigned to the record room.

(Jitendra Chauhan)
PRESIDENT

(R.P. Nagrath)
MEMBER

May 31, 2023
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