

504 (1)

FAO-636-2016 (O&M)

IMRAN V/S LALIT KUMAR & ORS

Present:- Mr. Ram Pal Verma, Advocate
for the appellant.

Mr. R.K. Bashamboo, Advocate &
Mr. Nigam Bhardwaj, Advocate
for respondent No.3-Reliance General Insurance Company Limited.

CM-1952-CII-2016

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 108 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, counsel for the appellant stated that the issue involved in this appeal can be settled, if an amount of Rs.4,00,000/-, is paid over and above, the amount already paid to the appellant by MACT. Learned counsel for respondent No.3-Insurance company sought some time to get instructions from the Insurance company.

Today Mr. R.K. Bashamboo, Advocate for respondent No.3 states that offer may be accepted by the Insurance company, subject to retaining company's right to recover the amount from the owner and driver of the offending vehicle. Both the counsel for the parties have signed the proposal.

Accordingly, this appeal is disposed of as settled, subject to retaining company's right to recover the amount from the owner and driver of the offending vehicle, as ordered by MACT, Sonipat.

As per the statement of learned counsel for the appellant, the enhanced

FAO-636-2016 (O&M)

-2-

amount will be paid to the appellant-Imran.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit cheque for Rs.4,00,000/- (Rupees Four Lakhs only) favouring appellant-Imran s/o Issak Muslman with the office of the Lok Adalat of the High Court on or before 21.10.2023. 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

(B.C. GUPTA)
MEMBER

31.08.2023
vipin