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FAO-114-2017

KAVITA & ORS V/S HUKAM CHAND & ANR

Present:- Mr. Shashi Kumar Yadav, Advocate
for the appellants.

Mr. Vinod Gupta, Advocate &
Mr. Satpal Dhamija, Advocate with
Ms. Pushpa Bhardwaj, Manager
Ms. Shifali Loi, Deputy Manager,
for respondent No.2-New India Assurance Company Limited.

AWARD OF LOK ADALAT BENCH NO.4

On the last date of hearing following order was passed:-

“Learned counsel for the appellants states that, if an amount of Rs.9,60,000/- is paid, over and above, the amount already awarded by learned MACT, this appeal can be settled. Counsel for the claimants has signed the proposal form.

To us, this offer seems to be just, reasonable and equitable in the facts and circumstances of the case. Learned counsel for the respondent-Insurance Company prays for time to get concurrence from the concerned authority.

To come up on 23.02.2023.

Copy of the order be supplied to the representative/counsel of the respondent-Insurance Company.”

Mr. Shashi Kumar Yadav, Advocate for the appellants was present. He signed the consent agreement, showing willingness to accept an amount of Rs.9,60,000/-(Rupees Nine Lakhs Sixty Thousand Only) towards full and final settlement of the claim in the present appeal.

Mr. Vinod Gupta, Advocate for respondent No.2-Insurance Company

has also signed the said statement today accepting the proposal made by the

counsel for the appellants.

As per the statement of learned counsel for the appellants, Rs.7,60,000/- will be paid to appellant No.1-Kavita and Rs.2,00,000/- will be paid to appellant No.6-Deep Chand. It is further undertaken that in case in future any claim is raised by any other appellant(s), the appellants No. 1 & 6 shall indemnify the said claimant(s).

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit two cheques, one for Rs.7,60,000/- (Rupees Seven Lakhs Sixty Thousand only) favouring appellant No.1-Kavita wd/o Late Satya Prakash and other for Rs.2,00,000/- (Rupees Two Lakhs Only) favouring appellant No.6-Deep Chand s/o Sheo Narain with the office of the Lok Adalat of the High Court on or before 07.04.2023. Failing compliance of the order, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The appellants' counsel may collect the cheques 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

23.02.2023
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