

Daily Lok Adalat

Bench No.2.

509-7

**FAO-5383-2017 (O&M) and
XOBJC No.130-CII of 2018**

ORIENTAL INSURANCE CO LTD V/S NISHA AND ORS.

Present: Mr.Ashwani Talwar, Advocate, and
Mr.Satpal Dhamija, Advocate, with
Mr.Yatin Sachdeva, Assistant Manager, and
Mr.Sumeet Raval, Assistant Manager,
for the appellant – Insurance Company.

Mr.Upender Prasher, Advocate,
for respondent No.1 – Cross Objector.

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FAO-5383-2017 (O&M)

This is an appeal filed by the Oriental Insurance Company Limited. Claimant is respondent No.1 in this appeal. However, respondent No.1 has also filed cross-objections. The matter has been discussed. It has been stated by learned counsel for the appellant-Insurance Company that as the matter has been compromised, Insurance Company does not want to proceed further with this appeal and the same be dismissed as withdrawn and that cross-objections filed by respondent No.1 be also decided and in view of compromise, Insurance Company is ready to pay ₹50,000/- (₹ Fifty Thousand Only) to respondent No.1-cross objector.

In view of the above, the present appeal stands dismissed as withdrawn.

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Cross-objections filed by respondent No.1 stands partly allowed. In view of compromise, Insurance Company is directed to pay ₹50,000/- over and above the amount already awarded by the MACT to respondent No.1-cross-objector. It is further ordered that enhanced amount,

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which is payable to respondent No.1-cross objector, be deposited before the concerned MACT. It is also clarified that appellant-Insurance Company has also agreed to deposit the remaining 20% along with interest of the amount awarded by the MACT in this case, which was already stayed by the Hon'ble High Court, before the MACT concerned within six weeks,. The entire amount including 20% along with interest of amount awarded by MACT be deposited before the concerned MACT within six weeks, failing which interest @ 9% shall follow on this amount till payment from the date of this order.

Copy of the order be supplied/sent to the counsel/parties and file be returned to the Hon'ble High Court.

**(R.K.Nehru)
President**

**(Ram Chand Gupta)
Member**

06.09.2023
P.Seth