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FAO-3389-2018 (O&M)

RAI KHAN AND ORS V/S RAJ KUMAR AND ORS

Present:- Mr. Parveen Sharma, Advocate with
Mr. Ankit Aggarwal, Advocate
for the appellants.

Mr. Sanjeev Kodan, Advocate
for respondent No.3-IFFCO-TOKIO General Insurance Company Ltd.

AWARD OF LOK ADALAT BENCH NO.4

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 375 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.

As agreed, (statements of learned counsel for the appellants as well as counsel for the Insurance Company, separately recorded) a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) over and above the amount already awarded by the Tribunal is allowed to the appellants in full and final settlement of the claim.

Learned counsel for the appellants states that agreed amount be released in favour of appellant No.3 (Sadikan). It is further undertaken that in case in future any claim is raised by any other appellant(s), the appellant No.3 shall indemnify the said claimant(s).

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit cheque for Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) favouring appellant No.3-Sadikan wd/o Sabir Khan, 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

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date of this order. The appellants' 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

07.11.2023
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