

Daily Lok Adalat

506(2 cases)

FAO-5321-2018

KUSUM AND ANR V/S MANJEET AND ORS

FAO-4287-2018 (O&M)

DHARAMBIR AND ANR V/S MANJEET AND ORS

Present: Mr.R.S.Sangwan, Advocate for the appellants (in both appeals).

Mr.Sachin Ohri, Advocate, with
Mr.Sachin Gupta, Advocate,
for respondent No.3 – IFFCO TOKIO Gen. Ins. Co. Ltd.

* * * *

Two separate appeals were filed against the same award i.e. one by widow and minor daughter of the deceased and other by Dharambir and Chander Kalan - parents of the deceased. Mr.R.S.Sangwan, Advocate is counsel for the appellants in both these appeals. He has stated that appellants, being members of same family, have now agreed that the amount of enhanced compensation be paid to widow, minor daughter and mother of the deceased, in equal shares.

Vide order dated 25.05.2023, on behalf of the appellants, proposal was made to enhance compensation by ₹22,47,000/- over and above the amount awarded by the MACT in full and final settlement of the claim in this appeal and the matter was adjourned for concurrence of the respondent - Insurance Company.

Today, learned counsel for the respondent - Insurance Company states that Company is agreeable to pay only an amount of ₹20,00,000/- and not ₹22,47,000/- over and above the amount awarded by the MACT. This counter-offer of ₹20,00,000/- has been accepted by learned counsel for the appellants, who has signed the statement.

Thus, as agreed, as per statements of learned counsel for the

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appellants and learned counsel for the respondent-Insurance Company (separately recorded), a sum of ₹20,00,000/- (₹ Twenty Lakh Only) over and above the amount awarded by the Tribunal is allowed to the appellants in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants, the enhanced amount be paid to widow, minor daughter and mother of the deceased, in equal shares

Accordingly, we dispose of both these appeals with a direction to the Insurance Company to deposit three crossed-cheques in the sum of ₹20,00,000/- in the respective names of all the three aforementioned appellants, in equal shares, with the office of the Lok Adalat of the High Court on or before 22.09.2023, in compliance of this order, failing which, interest @ 9% per annum shall follow on this amount from the date of this order till payment. The concerned Officer of the Lok Adalat Branch/Office shall issue proper receipt after receiving the cheques to learned counsel/representative of the respondent - Insurance Company. The appellant(s)' counsel/appellant(s) may collect the cheques from the office of the Lok Adalat.

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

A photocopy of this order be placed on the file of other connected appeal.

(R.K.Nehru)
President

11.08.2023

(Ram Chand Gupta)
Member