

Daily Lok Adalat

Bench No.2.

508-3

**FAO-6990-2018 (O&M)
ORIENTAL INS. CO. LTD V/S MOHAN LAL AND OTHERS**

**FAO-4230-2019
MOHAN LAL AND ORS V/S DALJEET SINGH AND ORS**

Present: Mr.Ashwani Talwar, Advocate, and
Mr.Lalit Garg, Advocate, and
Mr.Aseem Aggarwal, Advocate, with
Mr.Sumit Rawal, Assistant Manager and
Mr.Yatin Sachdeva, Assistant Manager,
for the appellant -Insurance Company
(in FAO No 6990 of 2018) and
for respondent No.3 (in FAO No.4230 of 2019).

Mr.Akhilesh Vyas, Advocate,
for the appellants (in FAO No.4230 of 2019) and
for respondent Nos.1 to 5 (in FAO No.6990 of 2018).

* * * *

These are two appeals i.e. one has been filed by the Insurance Company and another has been filed by the appellants regarding death of Surinder Kumar.

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has been compromised, Insurance Company does not want to proceed further with this appeal and the same be dismissed as withdrawn.

In view of compromise between both the parties, Insurance Company has agreed to pay ₹60,000/- (₹ Sixty Thousand Only) over and above the amount already awarded by the MACT to the appellants. Insurance Company has also agreed to deposit the remaining 20% along with interest as awarded by the MACT, which was already stayed by the Hon'ble High Court, within six weeks.

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2023:PHHC:132425

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**FAO-6990-2018 (O&M) and
FAO-4230-2019**

In view of the same, the appeal filed by the Insurance Company i.e. FAO No.6990 of 2008, stands dismissed as withdrawn and appeal filed by the appellants i.e. FAO No.4230 of 2019 stands partly allowed.

Insurance Company is directed to pay ₹60,000/- over and above the amount already awarded by the MACT to the appellants. It is further ordered that the enhanced amount, which is payable to appellant Nos.3 to 5, in equal shares, as per the statement of learned counsel for the appellants, be deposited before the concerned MACT. The entire amount including 20% of the amount awarded by the MACT along with interest on the said amount 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**

11.10.2023

P.Seth