

Tirath Singh Vs. Van Malibhai and another

Present:- Mr. Dheeraj Mahajan, Advocate
for the appellant.

Mr. Sachin Ohri, Advocate and
Mr. Sachin Gupta, Advocate
for respondent No.2-ICICI Lombard Gen. Ins. Co. Ltd.

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 277 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.

On 22.03.2023, on behalf of the appellant statement (separately recorded), was made by learned counsel for the appellant to accept Rs.3,50,000/- (Rupees Three Lakhs Fifty Thousand only) more, over and above, the amount awarded by the MACT concerned, in full and final settlement of the claim in this appeal. Today, on behalf of the Insurance Company concurrence has been given to this effect.

Accordingly, Rs.3,50,000/- (Rupees Three Lakhs Fifty Thousand only) is allowed as further compensation over and above the compensation already awarded by the MACT.

We dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque in the sum of Rs.3,50,000/- (Rupees Three Lakhs Fifty Thousand only) in the name of the appellant with the office of the Lok Adalat of the High Court on or before 22.05.2023 failing which the amount will carry 9% interest p.a. from the date of this order till the cheque is deposited with the office of the Lok Adalat. The appellant's counsel/appellant may collect the cheque from the office of the Lok Adalat.

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

(J.C. VERMA)
PRESIDENT

(ARVIND KUMAR)
MEMBER