

510 (1)

FAO-328-2019 (O&M)

BABITA DEVI AND ORS. V/S NARESH AND ORS

Present:- Mr. J.S. Rozera, Advocate
for the appellants.

Mr. V.K. Garg, Advocate &
Mr. Lalit Garg, Advocate with
Mr. Sunil Aggarwal, Manager
Ms. Purnima, Deputy Manager
for respondent No.3-National Insurance Company Ltd.

AWARD OF LOK ADALAT BENCH NO.4

CM-1287-CII-2019

In the backdrop of settlement between the parties, the Insurance Company has not opposed the condonation of delay of 362 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.

Main case

On the last date of hearing following order was passed:-

“Learned counsel for the appellants states that, if an amount of Rs.7,12,265/- is paid over and above the amount already awarded by learned MACT, this dispute can be settled. He has signed the consent form.

To us, this offer seems to be just, reasonable and equitable in the facts and circumstances of the case. Learned counsel for the respondent-Insurance Company prays for time to get concurrence from the concerned authority.

To come up on 10.04.2023.

Copy of the order be supplied to the

representative/counsel of the respondent-Insurance Company.”

FAO-328-2019 (O&M)

-2-

Mr. J.S. Rozera, Advocate for the appellants was present. He signed the consent agreement, showing willingness to accept an amount of Rs.7,12,265/- (Rupees Seven Lakhs Twelve Thousand Two Hundred Sixty Five Only) towards full and final settlement of the claim in the present appeal. He also stated that agreed amount be released in favour of appellant No. 1-Babita Devi. It is further undertaken that in case in future any claim is raised by any other appellant(s), the appellant No. 1 shall indemnify the said claimant(s).

Mr. V.K. Garg, Advocate for the respondent No.3-Insurance Company has also signed the said statement today accepting the proposal made by the counsel for the appellants.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit cheque for Rs.7,12,265/-(Rupees Seven Lakhs Twelve Thousand Two Hundred Sixty Five Only) favouring appellant No-1-Babita Devi wd/o Satish with the office of the Lok Adalat of the High Court on or before 09.06.2023. Failing compliance of the order, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The appellant's 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

(B.C. GUPTA)
MEMBER

10.04.2023