

**BEFORE THE NATIONAL LOK ADALAT, PUNJAB AND
HARYANA HIGH COURT AT CHANDIGARH**

**531-2 CM-27482-CII-2018 in/and
FAO-8225-2018 (O&M)**

Rajesh Kumar VS ICICI Lombard General Insurance and ors

Present: Mr. Divay Sarup, Legal Aid Counsel
for the appellant.

Mr. Rajneesh Malhotra, Advocate,
for the insurance company.

CM-27483-CII-2018

The matter is taken up in the National Lok Adalat.

Reply has been filed by the insurance company to the application filed by the applicant-appellant under Section 5 of the Limitation Act for condonation of delay of 3299 days in filing the appeal.

Learned counsel for the insurance company has informed that the matter has been finally settled between the parties.

In view of the circumstances, the application is allowed and the delay of 3299 days in filing the appeal is hereby condoned.

FAO-8225-2018 (O&M)

The Tribunal vide Award bearing MACT-294-2007, passed on 01.09.2009, allowed the claim petition and awarded a sum of ₹1,00,000/- to Dalip-claimant (respondent No. 2 in the present appeal). The insurance company who was respondent No. 3 before the Tribunal was held entitled to recover the amount of compensation so paid to the claimant from the insured later on.

Learned counsel for the insurance company informs that the company has waived off the recovery rights awarded by the Tribunal to

recover the compensation from the insured-appellant (respondent No. 2 before the Tribunal). Even Mr. Aditya Sharma, who is the Manager, Legal Head, of the respondent-insurance company has made a statement to this effect. .

The appellant is the owner/insured of the vehicle. Since the matter has been compromised and the insurance company has given up the right of claim to recover the amount from the appellant Rajesh Kumar, as such the present appeal stands allowed as compromised.

**(HARPREET KAUR JEEWAN)
PRESIDENT**

February 11, 2023
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**(JAI VIR YADAV)
MEMBER**