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FAO-1872-2021 (O&M)

SAMINA AND ORS V/S OM PARKASH GURJAR AND ORS.

Present:- Mr. Tanmoy Gupta, Advocate
for the appellants.

Mr. Abhimanyu Batra, Advocate
for respondent No.3-Cholamandalam MS General Insurance Company
Ltd.

AWARD OF LOK ADALAT BENCH NO.4

Power of Attorney on behalf of respondent No.3-Insurance company has
been filed by Mr. Abhimanyu Batra, Advocate and same is taken on record.

In the backdrop of settlement between the parties, the Insurance
Company has not opposed the condonation of delay of 83 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.

As agreed, (statements of learned counsel for the appellants as well as
counsel for the Insurance Company, separately recorded) a sum of Rs.3,50,000/-
(Rupees Three Lakhs Fifty Thousand only) over and above the amount already
awarded by the Tribunal is allowed to the appellants in full and final settlement of
the claim.

Learned counsel for the appellants states that agreed amount be released
in favour of appellant No.1-Samina. 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).

Accordingly, we dispose of this case with a direction to the Insurance
Company to deposit cheque for Rs.3,50,000/- (Rupees Three Lakhs Fifty
Thousand only) favouring appellant No.1-Samina w/o Late Irfan, with the office

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of the Lok Adalat of the High Court on or before 04.03.2024. Failing compliance of the order, interest @ 9% per annum shall follow on this amount till payment from the date of this order. The appellants' 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

09.01.2024
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