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FAO-4509-2008

JASPREET KAUR AND ORS. V/S RAM PARKASH AND ORS.

Present:- Mr. K. K. Garg, Advocate
for the appellants.

Mr. Vinod Gupta, Advocate &
Mr. Gopal Mittal, Advocate with
Mrs. Shama Arora Mittal, Deputy Manager,
Mrs. Sangeeta Sharma, Deputy Manager
for respondent-United India Assurance Co. Ltd.

AWARD OF LOK ADALAT BENCH NO.4

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

“On 06.08.2024, following order was passed:-

“After discussion, the counsel for the appellants states that in case an amount of Rs.7,00,000/- more is paid, over and above the amount already paid, then this appeal can be settled.

Learned counsel for respondent No.3-Insurance Company seeks some time to get instructions.

On his request, adjourned to 27.08.2024.”

Today Mr. K.K. Garg, Advocate has placed on record an affidavit of Jaspreet Kaur-appellant No.1, stating that proforma respondent No.4-Mukhtiar Kaur, mother of the deceased has died, leaving behind legal heirs, whose names are mentioned in the affidavit. Photocopy of death certificate has also been placed on record. He has also placed on record his Power of Attorney. On getting instructions from appellant No.1, it is stated by Mr. K.K. Garg, Advocate that in case any claim is raised by the LRs of deceased-proforma respondent No.4, the appellant No.1 undertakes to indemnify the said claimant(s) and pay the amount in the same proportion as was granted by Motor Accident Claims Tribunal, Barnala to respondent No.4.

Adjourned to 03.09.2024.”

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Mr. Gopal Mittal, Advocate, Mr. Vinod Gupta, Advocate and representatives for respondent-Insurance Company have also signed the said statement today, accepting the proposal made by the counsel for the appellants.

Learned counsel for the appellants stated that agreed amount be released in favour of appellant No. 1-Jaspreet Kaur. It was 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.7,00,000/-(Rupees Seven Lakhs Only) favouring appellant No.1-Jaspreet Kaur, with the office of the Lok Adalat of the High Court on or before 04.11.2024. 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

03.09.2024
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