



Daily Lok Adalat

Bench No.1

503 (1)

FAO-4472-2011

SMT. LAXMI DEVI AND OTHERS VS. SAITAN SINGH AND OHTERS

Present: Mr. Arvind Kumar Yadav, Advocate for the appellants.

Ms. Garima Modi, Advocate
for respondent No.2 (owner of the offending vehicle).

Mr. Rajneesh Malhotra, Advocate and
Mr. Nigam K. Bhardwaj, Advocate along with
Mr. Aditya Sharma, Manager (Legal)
for ICICI Lombard Gen. Ins. Co. Ltd.

As agreed, as per statement of the representatives of the Insurance Company and counsel for the appellants, (separately recorded today), a sum of Rs.22,00,000/- (Rupees Twenty Two Lakh only) more, over and above, the amount awarded by the Tribunal is allowed to the appellants, in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants (including Laxmi Devi), as per the instructions from Prithvi Singh, the enhanced amount would be paid to the appellants No.2 to 4 in equal share and no amount of enhanced compensation will be disbursed to appellant No.1-Laxmi Devi as she had re-married.

However, as per statement of learned counsel for the respondent-insurance Company and the representative of the Insurance Company, it is made clear that so far as amount of enhanced compensation as well as the amount awarded by MACT is concerned, the Insurance Company is waiving off its recovery rights as has been given to it by MACT to recover the amount of compensation from respondents No.1 and 2 i.e. driver and owner of the offending vehicle while passing the award.

We dispose of this case with a direction to Insurance Company to deposit a crossed-cheque in the sum of Rs.22,00,000/- (Rupees Twenty Two Lakh only) in the name of appellants No.2 to 4 in equal share with the office of the Lok Adalat of the High Court on or before 24.01.2025 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 appellants' counsel/appellants 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

19.12.2024