



Daily Lok Adalat
503
FAO-845-2016

Bench No.1

NARENDER SINGH V/S ROOP CHAND @ RUPA & ORS

Present:- Mr. Ishan Cooner, Advocate for the appellant.

Mr. Nigam K. Bhardwaj, Advocate
for Future Generali (India) Ins. Co. Ltd.

This appeal has been filed the claimant-appellant against the award dated 02.11.2015 passed by the MACT, Ambala by which compensation of Rs.62,000/- along with 7.5% interest has been awarded in favour of claimant-appellant to be paid by the Insurance Company granting recovery rights to it to recover the amount of compensation from driver and owner i.e. respondents No. 1 and 2.

The appeal was admitted on 02.05.2017. Respondents No. 1 and 2 i.e. Roop Chand @ Rupa and Rajnish Vohra (driver and owner of the offending vehicle) have not filed any appeal against the said recovery rights given to the Insurance Company in the impugned award.

After admission of the appeal, the office had issued notices to respondents No.1 and 2 wherein respondent No.1-driver was duly served whereas notice could not be served upon respondent No.2-owner as he had left the house. Despite service, respondent No.1-driver has not put in appearance before this Forum. Whereabouts of respondent No.2 are not known since he has left the given residential address.

On 04.10.2024, on behalf of the appellant statement (separately recorded), was made by learned counsel for the appellant to accept Rs.1,00,000/- (Rupees One Lakh only) more, over and above, the amount awarded by the MACT concerned, in full and final settlement of the claim in this appeal. Today, on behalf of the Insurance Company concurrence has been given to this effect subject to the

condition that the rights of recovery as has been granted to it by learned MACT, will be kept intact.

Accordingly, Rs.1,00,000/- (Rupees One Lakh only) is allowed as further compensation over and above the compensation already awarded by the MACT

We dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque in the sum of Rs.1,00,000/- (Rupees One Lakh only) in the name of the appellant (noticing the said act and conduct of respondents No.1 and 2, recovery rights granted by MACT to the Insurance Company shall remain kept intact) with the office of the Lok Adalat of the High Court on or before 04.12.2024 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/appellant 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

23.10.2024
Atul

(ARVIND KUMAR)
MEMBER