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* **IN THE HIGH COURT OF DELHI AT NEW DELHI
NATIONAL LOK ADALAT**

+ **MAC.APP. 320/2019**

BHARTI AXA GENERAL INSURANCE CO LTD

..... Appellant

Through: Mr. Ved Vyas Tripathi, Advocate

versus

LAXMAN RAM & ORS

..... Respondent

Through: Mr. Ravi Sabharwal, Advocate

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN (PRESIDING OFFICER)

MR. K. VENKATRAMAN, ADVOCATE (CO-MEMBER)

ORDER

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11.05.2024

1. Appellant has filed an appeal for reduction of the award dated 30.11.2018 passed by the learned MACT awarding compensation of Rs.28,80,808/- along with interest @ 9% p.a. from the date of filing of the DAR i.e. 16.05.2017. On the appeal the insurance company deposited the 2/3rd awarded amount along with up-to-date interest with the concerned tribunal.

2. We have interacted with the learned counsel/parties. Apropos such interaction and deliberation, it is agreed between the parties that the respondent/claimant (s) shall be entitled to lump sum amount of 7,50,000/- over and above that 2/3rd deposited amount as full and final settlement. Ld. Counsel for the appellant has requested for some time to deposit the amount settled as detailed above, amounting to Rs. 7,50,000/-

3. In terms of the settlement, the insurance company is directed to deposit the above settled amount of Rs. 7,50,000/- before the Registrar General of this Court within a period of six weeks from today failing

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which it shall carry interest @ 9% per annum from the date of delayed deposit.

4. Registrar General of this Court is directed to release the above settled amount to the respondent claimant in terms of the Award.

5. Needless to say that the appellant shall be entitled to refund of the statutory amount along with interest, if any.

6. We note that vide order dated 22.04.2024, the name of ICICI Lombard General Insurance Company Limited stood substituted in place of Bharti Axa General Insurance Company Limited. It is therefore directed that the statutory amount with interest, if any, be paid to ICICI Lombard General Insurance Company Limited.

7. We wish to clarify that though the matter has been settled before Lok Adalat, any claimant would be at liberty to move appropriate application before the concerned learned Tribunal, in case he seeks pre-mature release or refund on account of any extreme exigencies or any compelling reason. In such a situation the learned Tribunal would be at liberty to take up such application and to decide the same in accordance with law.

8. In terms of the aforesaid, the present appeal along with pending application (s) stand disposed of.

9. A copy of this order be sent to learned Tribunal with TCR, if already received.

(MANOJ JAIN)
PRESIDING OFFICER

K. VENKATRAMAN
CO-MEMBER

MAY 11, 2024/st