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

+ **MAC.APP. 188/2021**

NATIONAL INSURANCE CO LTD Appellant
Through: Mr. Pankaj Seth Advocate along with Mr.
Sunil Singh, Dy. Manager and Mr. Anil
Kalgotra, Asstt. Manager
versus
DHARAM SINGH & ORS. Respondents
Through: Mr. Ghanshyam Thakur ,Advocate

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN
MR. K. VENKATRAMAN, ADVOCATE (CO-MEMBER)

ORDER
11.05.2024

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1. The appellant by virtue of the present appeal seeks reduction of award dated 16.01.2021 passed by the learned MACT awarding compensation of Rs.14,65,000/- along with interest @ 9% per annum from the date of filing of claim petition.
2. We have interacted with the learned counsel/parties concerned. Apropos such interaction and deliberation, out of the entire deposited amount along with accrued interest, principal amount of Rs. 2,00,000/- along with interest @ 9% from the date of filing of DAR i.e. 18.10.2016 till the date of deposit before the Tribunal and thereafter at the accrued rate be refunded to the insurance company and balance amount lying deposited before the concerned Tribunal along with accrued interest from the date of claim petition till the date of realization shall go to the respondent/claimant (s).
3. Learned counsel for the respondent submits that the balance amount lying before the concerned Tribunal along with accrued interest be released to the respondent/claimant(s). Ld. Counsel for the respondent/claimants submits that Respondent No. 1 i.e. Dharma Singh has expired and all the legal heirs are already brought on record.

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4. In terms thereof, learned Tribunal is directed to refund principal amount of Rs. 2 lacs along with interest @ 9 per cent per annum from the date of filing of DAR till the date of deposit before the learned Tribunal and thereafter at the accrued rate to the appellant-insurance company. Out of the settled amount, sum of Rs. 2,00,000/- be released in favour respondent No. 2 i.e. Manju Devi by the learned Tribunal after compliance of requisite formalities.
5. We are informed that since Dharam Singh has expired and accordingly the share of Sh. Dharm Singh shall go to all the LRs in equal proportion. We order accordingly. Balance amount along with accrued interest, if any, be released to the respondent(s)/Claimant(s) in terms of the award of the Tribunal.
6. Needless to say that appellant shall be entitled to refund of statutory amount along with interest, if any.
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 the concerned learned Tribunal with TCR, if already received.

(MANOJ JAIN)
PRESIDING OFFICER

K. VENKATRAMAN
CO-MEMBER

MAY 11, 2024/sw

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