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

**+ MAC.APP. 285/2023, CM APPL.28370/2023 & CM
APPL.28371/2023**

SOURAV SUMANAppellant
Through: Mr. Dheeraj Sharma, Adv.
along with claimant in person.
versus

UDAY PRATAP & ANR.Respondents
Through: Mr. Navneet Goyal & Mr.
Manoj Kr Rai, Adv. for R1 &
R2 along with R1&R2 in
person.

**CORAM: NATIONAL LOK ADALAT
HON'BLE MR. JUSTICE DHARMESH SHARMA
MR. K. VENKATRAMAN, ADVOCATE (CO-MEMBER)**

ORDER
% **14.12.2024**

1. The registered owner cum driver of the offending vehicle has filed a statutory appeal under Section 173 of the Motor Vehicles Act assailing the impugned award dated 24.12.2022 passed by the learned Tribunal.

2. After due deliberations in the present Lok Adalat with the parties, the parties have agreed to amicably resolve their disputes as under:-

a. The total amount agreed between the parties for payment of lump sum of amount of Rs.21,31,000/- as full and final settlement of all cases arising out of the accident. The settled amount includes the amount of Rs.13,06,000/- already deposited before the concerned tribunal in pursuance of the order passed by Hon'ble High Court in present appeal. (Rs.5,00,000/- deposited on



19.07.2023, Rs.5,00,000/- deposited on 20.07.2023, Rs.6,000/- deposited on 21.07.2023 and Rs.3,00,000/- deposited on 26.07.2023)

- b. The balance amount of Rs.8,25,000/- shall be paid as under
- i. Rs. Sum of Rs7,25,000/- shall be paid before the National Lok Adalat in favour of R-1 & R-2 in equal proportion way of demand draft/banker's Cheque i.e. by way of two separate demand draft/banker's cheque of Rs. 3,62,500/- each drawn in the name of R-1 (Mr. Uday Pratap) and R-2 (Ms. Bindu Singh) respectively.
 - ii. The balance amount of Rs.1,00,000 shall be paid in favour of R-1 & R-2 in equal proportion way of demand draft / Banker's Cheque at the time of quashing of FIR No. 453/2017 (Criminal Case. 28812/2018) before Hon'ble High Court of Delhi and R-1 & R-2 shall render all cooperation including signing of no objection in favour of appellant for quashing of FIR as well as statement/appearance before Hon'ble High Court or any other court if requires appearance including in FIR Case.
 - iii. It is agreed that on receiving entire payment in terms of settlement, the R-1 & R-2 shall not claim any amount in respect of award passed in MAC. APP. 1340/2017 passed by Id. MACT South West District.
 - iv. It is agreed that the present settlement agreement shall also take care of the award passed in MACT NO. 289/2018 (injury case).
 - v. It is also agreed that despite all cooperation from R-1 & R-2 in terms of the present agreement, if the related police case as detailed above is not disposed of due to whatever reason, on or before 14.04.2025. in that event, appellant shall pay the balance agreed amount of Rs.1,00,000/- in equal proportion immediately thereafter not later than 30.04.2025 against proper receipts.
 - vi. It is agreed that on receipt of entire settlement amount, the R-1 & R-2 shall not initiate any legal proceeding for execution/enforcement of MACT award bearing No. 289/2018.
 - vii. It is agreed between the parties the present settlement is full and final settlement satisfying all claims of arising out of accident including subject matter of appeal.



3. The parties shall, accordingly, be bound by the statement made before this Lok Adalat today.
4. In terms of the settlement arrived at today, two banker cheques each drawn on HDFC Bank dated 12.12.2024 in favour of Mr. Uday Pratap and Ms. Bindu Singh in the sum of ₹3,62,500/- each are handed over to the claimants/R1&R2.
5. The present appeal alongwith the pending application(s), if any, is disposed of with directions in terms of the foregoing settlement
6. A copy of this order be sent to concerned Ld. Tribunal with LCR, if requisitioned and received.

(DHARMESH SHARMA)
PRESIDING OFFICER

K. VENKATRAMAN
CO-MEMBER

DECEMBER 14, 2024
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