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

+ **MAC.APP. 851/2019**

**NEW INDIA ASSURANCE CO LTD**

..... Appellant

Through: Mr. Ravi Sabharwal Advocate and  
Mr. JPN Shahi, Advocate

versus

**LUCKY & ORS (IFFCO TOKIO GEN. INS. CO. LTD)**

..... Respondents

Through: Mr. S.N. Parashar Advocate for  
respondent/claimant(s).

**CORAM:**

**DR. SUDHIR KUMAR JAIN, PRESIDING OFFICER**

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

**ORDER**

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**09.03.2024**

Appellant insurance company has filed an appeal for reduction of the award dated 26.08.2019 passed by the Learned MACT awarding compensation of Rs. 15,053.50 (51,505-6,451.50 i.e. 30% on account of contributory negligence) in the ratio of 70:30 along with interest @ 9% p.a. from 26.07.2018 till its realization. In the said award, it is ordered that the 30% of the awarded amount of Rs. 15,053.50 along with interest @ 9% from 26.07.2018 till its realization shall be paid by appellant New India Assurance Co. Ltd.

Learned counsel for the appellant has instruction to withdraw the present appeal and learned counsel for the respondent claimant has no objection to the said withdrawal.

In view of the settlement arrived between the parties i.e.



appellant insurance company and Respondent No. 1, the insurance company shall pay the above mentioned settled amount along with up to date interest as stated above @ 9% p.a. from 26.07.2018 till the date of deposit to the respondent No. 1. The said amount be deposited by the Insurance Company before the concerned tribunal within a period of 06 weeks.

The said amount be released to the respondent no.1 subject to the fulfilment of all the requisite formalities.

Statutory amount with interest, if any, be refunded to the Insurance Company.

The present appeal alongwith the pending application(s), if any, is disposed of with directions in terms of the foregoing settlement.

A copy of this order be sent to concerned Ld. Tribunal with LCR, if requisitioned and received.

**DR. SUDHIR KUMAR JAIN, J**

**K. VENKATRAMAN  
CO-MEMBER**

**MARCH 09, 2024/j**