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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
NATIONAL LOK ADALAT
+ **MAC.APP. 241/2017**

UNITED INDIA INSURANCE CO. LTD.

..... Appellant

Through: Mr. Ravi Sabharwal Advocate through
VC

versus

BHARTI & ORS

..... Respondents

Through: Mr. Ankur Gosain, Advocates for
respondents/claimants

CORAM:

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

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

ORDER

11.05.2024

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1. Appellant insurance company has filed an appeal for reduction of the award dated 19.12.2016 passed by the Learned MACT, awarding a compensation of Rs. 63,10,000/- along with interest @ 9% p.a. from the date of the DAR. On appeal, the insurance company deposited entire awarded amount with up to date interest in terms of the order dated 10.03.2017 passed by this Hon'ble Court to be deposited before the concerned Tribunal.

2. We have interacted with the learned counsel/parties concerned. It is agreed between the parties that out of the deposited amount along with the accrued interest, lump sum amount of Rs. 15,00,000/- shall be refunded to the appellant insurance company and balance amount along with up to date total interest shall go to respondent No. 1 & 2. Ld. Counsel for the respondents/claimants submitted that they are in urgent need of fund for medical treatment and requested for immediate release of entire amount. Learned Counsel for the Insurance Company also submits that the statutory amount with interest, if any, may be refunded to the Insurance Company.

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3. In view of the above, concerned Tribunal is directed to refund the principal amount of Rs. 15,00,000/- to the insurance company and balance amount along with up-to-date total interest be released to the respondent no. 1 & 2 in terms of the award of the Tribunal.
4. It is clarified that the lump sum amount of Rs.15,00,000/- to be refunded to the Insurance Company shall be out of Rs. 13,00,000/- from the account of respondent No.1 i.e. 37649579315 (SBI Bank) and sum of Rs. 2,00,000/- shall be account of respondent No. 3 i.e. 34212985961(SBI Bank). After the refund of Rs. 15,00,000/- to the insurance company, the balance amount along with the accrued interest be released to the respondents/claimants subject to fulfilment of the requisite formalities.
5. Needless to say that the appellant shall be entitled to refund of the statutory amount along with interest, if any.
6. In terms of the aforesaid, the present appeal along with pending application (s) stand disposed of.
7. A copy of this order be sent to the concerned learned Tribunal with LCR, if already received.

(MANOJ JAIN)
PRESIDING OFFICER

K. VENKATRAMAN
CO-MEMBER

MAY 11, 2024/sw