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

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MAC.APP. 318/2016

ICICI LOMBARD GENERAL INSURANCE CO LTD

..... Appellant

Through: Mr. M. V. Garud, Advocate.

versus

SHAKTI & ORS

..... Respondents

Through: Mr. Jitender Kamra and Mr. B.P.
Saxena, Advocates.

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 22.02.2016 passed by the Learned MACT, awarding a compensation of Rs.6,46,056/- along with interest @ 9% p.a. from the date of filing of claim petition. On appeal, the insurance company deposited entire awarded amount with up to date interest in terms of the order dated 22.04.2016 passed by this Hon'ble Court. We note that vide order dated 24.02.2023, this Hon'ble Court issued a direction to release Rs.1,00,000/- along with accrued interest in favour of respondent no. 2. We also note that the during the pendency of the appeal respondent no. 1 expired and vide order dated 10.08.2023 the respondent no. 1 is deleted from the array of the parties and it is agreed between the parties that only the surviving respondent no. 2



shall be entitled to the compensation including the deceased Respondent No. 1.

After comprehensive discussions, it is agreed between the parties that out of the remaining deposited amount along with the accrued interest, principal amount of Rs. 46,056/- along with interest @ 9% p.a. from the date of filing of claim petition till the date of deposit and thereafter on accrued basis shall be refunded to the appellant insurance company and balance amount along with up to date accrued interest shall go to respondent no. 2 (Laila).

Learned Counsel for the Insurance Company also submits that the statutory amount with interest, if any, may be refunded to the Insurance Company.

In view of the settlement arrived at between the parties, out of the remaining deposited amount along with accrued interest, principal amount of Rs.46,056/- along with interest @ 9 % p.a. from the date of claim petition till the date of deposit and thereafter on accrued basis be directed to be refunded to the Insurance Company and the balance amount along with the upto date accrued interest be directed to released to the respondent no.2/Laila subject to fulfilment of all the requisite formalities.



The concerned tribunal is directed to release in terms of the above mentioned directions.

The Registrar General of this Court is directed to release the statutory amount with interest if any to the Insurance Company.

The present appeal along with 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

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