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* IN THE HIGH COURT OF DELHI AT NEW DELHI
NATIONAL LOK ADALAT
+ MAC.APP. 960/2013

SHRIRAM GENERAL INSURANCE COMPANY LTD

..... Appellant

Through: Ms. Niyati, Adv. With Mr. Ashok
Sharma, Mr. Umesh Singh Chauhan
and Mr. Rajesh Sharma,
representatives of company

versus

SMT GAYATRI KEWAL RAMANI & ORS Respondents

Through: Mr. Shekhar Aggarwal, Advocate

CORAM:

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

ORDER

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11.05.2024

1. The appellant by virtue of the present appeal seeks reduction of award dated 29.09.2013 passed by the learned MACT awarding compensation of Rs.7,18,200/- along with interest @ 7.5% per annum from the date of claim.
2. On appeal the insurance deposited the entire awarded amount with accrued interest before the Registrar General of this court and direction was issued to release 90% of the awarded amount in favour of Respondent No. 1 & 2 as per the award. Ld. Counsel for the claimants submits that respondent no. 2 has expired and the legal heirs of Respondent No. 2 (Wife) is already on record. Ld. Counsel for the insurance company submits that in view of the settlement arrived in

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MACA No. 534/2016, he has instruction not to press the appeal.

3. We have interacted with the learned counsel/parties.

4. Apropos such interaction and deliberation, learned counsel for the appellant wishes to withdraw the present appeal in view of the settlement arrived in MAC No. 534/2016 to which learned counsel for the respondent has no objection.

5. Learned counsel for the respondent claimant submits that the balance amount lying before the Registrar General of this court, share of respondent No.2 (now deceased) be released in favour of respondent No.1. During the course of the hearing we are also conscious of the fact that the accident in question has taken place in the year 2011, learned counsel for the respondent has stated that he would furnish the requisite details of the surviving LR's and the NOC from the LR's, if any before the Learned Registrar General of this court.

6 As far as the share of deceased respondent No.2 is concerned, let the requisite details of surviving LR's of respondent No.2 alongwith their NOC by way of an affidavit be filed within two weeks from today in the Registry with advance copy to the learned counsel for the Insurance Company. In case, requisite NOC in favour of appellant No.1 is filed within a period of two weeks, then the share amount of the respondent No.2 be released to respondent No.1 subject to verification and completion of requisite formalities.

7. Needless to say that the appellant shall be entitled to refund of the statutory amount along with interest, if any.

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 LCR, if already received.

(MANOJ JAIN)
PRESIDING OFFICER

K. VENKATRAMAN
CO-MEMBER

MAY 11, 2024
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