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

+ **MAC.APP. 649/2017 & CM APPL. 26310/2017**

MS NATIONAL INSURANCE COMPANY LTD Appellant

Through: Ms. Rakhi Dubey Advocate along
with Mr. Sunil Singh, Dy. Manager
and Mr. Anil Kalgotra, Asstt. Manager

versus

ASHFAQ ALI & ORS Respondents

Through: Mr. Neeraj P. Singh and Ms. Sweta
Kumari, Advocates along with
Respondent No. 1

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 18.04.2017 passed by the learned MACT awarding compensation of Rs. 14,30,220/- along with interest @ 9% p.a. from the date of filing of petition till realization. On appeal, the insurance company deposited the entire awarded amount along with the up to date interest accrued before the concerned MAC Tribunal in terms of the order dated 26.07.2017 passed by this Hon'ble Court and 30% of the awarded amount was released.

2. We have interacted with the learned counsel/parties concerned. Apropos such interaction and deliberation, it is agreed between the parties that out of the balance deposited amount along with accrued interest lying before the Tribunal, lump sum amount of Rs. 4,60,000/- be refunded to the insurance company and balance amount lying deposited before the concerned Tribunal along with total accrued interest shall go to the respondent No. 1.

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Learned counsel for the respondent submits that the balance amount lying before the concerned Tribunal along with total accrued interest in terms of the settlement be released to the respondent No. 1. in terms of the award of the Tribunal.

3. In view of the above, concerned Tribunal is directed to refund the lump sum amount of Rs. 4,60,000/- to the insurance company and balance amount lying deposited before the Tribunal along with total accrued interest be released in favour of respondent no. 1.

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

5. In terms of the aforesaid, the present appeal along with pending application (s) stand disposed of.

6. A copy of this order be sent to the concerned learned Tribunal with TCR, if already received.

(MANOJ JAIN)
PRESIDING OFFICER

K. VENKATRAMAN
CO-MEMBER

MAY 11, 2024/sw