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

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MAC.APP. 997/2015

M/S THE NEW INDIA ASSURANCE CO LTD

..... Appellant

Through: Mr. J.P.N. Shahi, Advocate with
Ms. Nikhita Bhowmik, Asst. Manager
for insurance company

versus

NIRMALA DEVI & ORS

..... Respondent

Through: Mr. S.N. Parashar, 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. Appellant insurance company has filed an appeal for reduction of the award dated 14.10.2015 passed by the Learned MACT awarding compensation of Rs. 27,20,400/- 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 upto date interest accrued before the Registrar General of the Court in terms of the order dated 21.12.2015 passed by this Hon'ble Court and 50% of the awarded amount have been released to the claimants.

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 entire deposited amount along with accrued interest, lump sum amount of Rs. 2,60,000/- be refunded to the insurance company and balance amount lying deposited before the concerned Registrar General along with balance total interest shall go to the respondent/claimant(s).



3. Learned Counsel for the Insurance Company also submits that the statutory amount with interest, if any, may be refunded to the Insurance Company.
4. In view of the above, Registrar General is directed to refund the lump sum amount of Rs. 2,60,000/- to the insurance company and balance amount lying deposited before the Registrar General along with total accrued interest be released in favour of respondent(s) in terms of the Award.
5. Needless to say that the appellant shall be entitled to refund of the statutory amount along with interest, if any.
6. We wish to clarify that though the matter has been settled before Lok Adalat, any claimant would be at liberty to move appropriate application before the concerned learned Tribunal, in case he seeks pre-mature release or refund on account of any extreme exigencies or any compelling reason. In such a situation the learned Tribunal would be at liberty to take up such application and to decide the same in accordance with law.
7. In terms of the aforesaid, the present appeal along with pending application (s) stand disposed of.
8. 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/st