

**Daily Lok Adalat**

508

FAO-3082-2019 and XOBJC-57-2024 (O&M)

Bench No.1**MURTI DEVI V/S GAGANDEEP SINGH AND ORS**

Present: Mr. Diwan S. Adhalkha, Advocate and
Mr. Ajay Chauhan, Advocate along with
Mr. Raj Pal, in person
for appellant.

Mr. Ajay Jain, Advocate for the cross-objector

Mr. Abhinav Narang, Advocate for
Mr. Neeraj Khanna, Advocate and
Mr. Aseem Aggarwal, Advocate along with
Ms. Charanjit Kaur, Manager
for the New India Assu

This claim petition has been filed by the claimant-appellant, Mrs. Murti Devi wife of Babu Ram challenging the award dated 10.01.2019 passed by the Motor Accident Claims Tribunal, Karnal, seeking enhancement of the compensation granted to her for injuries sustained in a motor vehicle accident caused by the rash and negligent driving of the bus bearing registration No. HR45-B-6374.

The learned MACT awarded a total compensation of Rs. 1,18,195/- in her favour. The liability to pay the compensation was fastened upon respondents No. 1 and 2, while the Insurance Company was exonerated. This decision was made on the ground that Respondents No. 2 failed to produce a valid route permit on record since ex-parte.

The appellant has filed this appeal seeking enhancement of the compensation awarded to her. Similarly, Respondent No. 2 has filed a cross-objection against the award passed by the Motor Accident Claims Tribunal, contending that he held a valid route permit (Annexure A-1) on the date of the accident, 02.12.2016, and asserting that the liability should have been fastened solely upon the Insurance Company, as he was treated as ex parte at the time of passing of the award.

The case has been entrusted to this Forum for the purpose of settlement.

Today, Mr. Raj Pal son of Babu Ram has appeared before this Forum in person and states that the appellant Murti Devi has since expired on 28.03.2024 during pendency of the appeal leaving behind the legal representatives, namely, Raj Pal, Jai Bhagwan, two married sisters, namely, Meena Rani and Angrejo Devi. There are no other legal representatives except as stated above. The sisters, who are married, are not interested in the compensation. Thus, the amount of compensation be disbursed to the

Rs of the appellant, namely, Raj Pal and Jai Bhagwan in equal share.

It is also stated by Ms. Charanjit Kaur, Manager of the Insurance Company that the route permit of the vehicle No.HR-45-B-6374 has been got verified and as per the report, it was valid w.e.f. 25.03.2016 to 24.03.2021 covering the date of accident i.e. 02.12.2016. The same has been placed on record.

Learned counsel for the appellant states that the amount of compensation has not been disbursed to the claimant-appellant so far, despite the execution application filed by them is still pending.

As agreed, as per statement of the representatives of the Insurance Company and counsel for the appellant, (separately recorded today), a sum of Rs.1,18,195/-, as awarded by the learned Motor Accident Claims Tribunal (which includes interest of Rs. 56,733/- at the rate of 6% per annum from 05.05.2017 till date, which comes to Rs.1,74,928/-), along with an enhanced amount of Rs.1,30,072/- (including interest at the rate of 3% per annum from the date of filing of the claim petition till today), making a total of ₹3,05,000/-, shall be treated as full and final settlement of the claim in this appeal to be paid by the Insurance Company while exonerating the owner and driver in view of the said valid route permit. As per the statement of learned counsel for the appellant, the total compensation including enhanced amount would be paid to the legal representatives of the appellant, namely, Raj Pal and Jai Bhagwan in equal share.

We dispose of the appeal with a direction to Insurance Company to deposit a crossed-cheque in the sum of Rs.3,05,000/- (Rupees Three Lakh Five Thousand only) in the name of LRs of the appellant, namely, Raj Pal and Jai Bhagwan with the office of the Lok Adalat of the High Court on or before 04.12.2025 failing which the amount will carry 9% interest p.a. from the date of this order till the cheque is deposited with the office of the Lok Adalat. The appellants' counsel/appellants may collect the cheque from the office of the Lok Adalat.

Learned counsel for the appellant, on instructions from the LRs of the appellant, undertakes to withdraw the execution application filed by legal representatives of the appellant in view of the settlement.

The cross-objection-C-57-2024 filed by respondent No.2 stands allowed in the manner indicated above.

Copy of the order/statement be supplied /sent to the counsel/parties and file be returned to the High Court.

(J.C. VERMA)
PRESIDENT

(ARVIND KUMAR)
MEMBER

16.10.2025

Atul

ATUL KUMAR TRIPATHI
2025.10.18 13:49
I attest to the accuracy and
integrity of this document