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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

NATIONAL LOK ADALAT

\+ MAC.APP. 151/2022 & CM APPLs. 25073/2022, 15484/2024

THE NEW INDIA ASSURANCE CO. LTD ..... Appellant

Through: Ms. Avantika Manohar, Advocate for Mr. Pankaj Seth, Advocate.

Versus

MS PRAMILA DEVI ..... Respondent

Through: Mr. Anshuman Bal, Advocate for R-1.

CORAM: NATIONAL LOK ADALAT
HON'BLE MR. JUSTICE RAVINDER DUDEJA
MR. K. VENKATRAMAN, ADVOCATE (CO-MEMBER)

O R D E R

% **08.03.2025**

Appellant insurance company has filed an appeal for reduction of the award dated 30.03.2022 passed by the Learned MACT, awarding a compensation of Rs. 5,00,000/- along with interest @ 9% p.a. from the date of filing of claim petition. On appeal, the insurance company deposited 50% of the awarded amount with up to date interest in terms of the order dated 28.07.2022 passed by this Hon'ble Court before the tribunal and lump sum amount of Rs. 2,00,000/- was released in favour of R-1.

We have interacted with the learned Counsel/parties concerned. Apropos such interaction and due deliberation, the learned counsel for the appellant, on instructions, has agreed to withdraw the appeal and the learned counsel for the respondent has no objection.

Learned counsel for the respondent has pointed out that the father of the deceased has expired on 11.07.2017 and in terms of the order dated 10.05.2018 passed by the learned Tribunal, father has been deleted from the array of the parties and the total compensation of Rs.5,00,000/- along with the interest at the rate of 9% per annum from the date of filing of the claim petition is awarded in favour of the mother of the deceased.

We note that in terms of the order dated 28.07.2022 passed by this Court, the appellant-insurance company has deposited only 50% of the awarded amount along with interest before the concerned MACT. The insurance company is directed to deposit the balance 50% of the awarded amount along with interest at the rate of 9% per annum with effect from the date of the claim petition till the date of deposit within a period of six weeks from today and the said amount be directed to be deposited before the concerned Tribunal. The concerned Tribunal may then release the said amount in favour of respondent no.1 subject to fulfilment of all the requisite formalities.

We note that only lump-sum amount of Rs.2,00,000/- was released in favour of R-1 from the 50% deposited awarded amount. We, therefore, direct that the balance amount remaining deposited amount with the Tribunal along with accrued interest may also be directed to be released to R-1 on compliance of all the requisite formalities.

The statutory amount deposited as a pre-condition for filing appeal with interest, if any, be refunded to the Insurance Company.

The present appeal alongwith 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.

(RAVINDER DUDEJA)
PRESIDING OFFICER

K. VENKATRAMAN
CO-MEMBER

MARCH 08, 2025/ib