**Oriental Insurance Company vs. Kamlesh Kumari and others**

**CMP No. 24603 of 2026 in FAO No. 584 of 2018.**

**06.11.2026 Present:** Mr. Bhart Bhardwaj, Advocate, vice Dr. Lalit K. Sharma, Advocate, for the non-applicant-appellant.

Mr. Parikshit Sharma, Advocate, for the applicants/respondents.

The present application has been filed for release of the compensation amount awarded in favour of the applicants.

By virtue of the award passed by the Motor Accident Claims Tribunal-(III), Solan, dated 14th September, 2017, an amount of ₹7,98,000/- along with interest @ 9% per annum had been awarded in favour of the claimants. The liability for payment of the amount so awarded was fixed on the insurance company. The amount was to be apportioned to the extent of 40% in favour of present applicant No. 1, applicant No. 2 was held entitled to 30%, and non-applicant/claimant No. 3 was also held entitled to the balance 30%.

Against the award so passed by the Motor Accident Claims Tribunal-(III), Solan, two appeals were preferred, one by the insurance company and the other by the claimants. The appeal filed by the insurance company was dismissed, whereas the appeal preferred by the claimants/present applicants had been allowed. The compensation amount awarded had been enhanced to Rs.14,10,480/- along with interest @ 9% till realization or deposit. Apportionment was retained in terms of the award passed by the Motor Accident Claims Tribunal-(III), Solan.

It is an admitted position that no further proceedings have been preferred by the insurance company against the judgment passed by the Coordinate Bench in FAO No. 584 of 2018 along with FAO No. 549 of 2019, decided on 27.08.2025.

Other than the aforesaid, it is evident from the award initially passed by the Motor Accident Claims Tribunal that applicant No. 2 and non-applicant/claimant No. 3 were minors during the pendency of the matter before the Motor Accident Claims Tribunal at Solan. However, during the pendency of the appeal, they attained the age of majority and the guardians were discharged in terms of order dated 11.07.2025.

Counsel for the insurance company has no objection if the application is allowed and the amount sought to be released is ordered to be released in favour of the claimants.

Other than the aforesaid, for the reasons mentioned in the application, the application is allowed. The amount lying deposited in the Registry of this Court along with proportionate interest accrued thereon is ordered to be released in favour of applicant No. 1 and applicant No. 2, i.e., Kamlesh Kumari and Rohit, respectively. It is made clear that the application has not been filed on behalf of the third claimant, Manu, and no order of release has been passed in his favour.

The amount be remitted to the bank accounts, details whereof have been given in para 5 of the application, subject to proper verification of their identities.

Application stands disposed of.

**(Bipin C. Negi)**
**Judge**

06th November, 2026
(Tarun Singh)