

Daily Lok AdalatBench No.1

507 (2 cases)

FAO-4459-2019**Neelam and others V/S Naresh Kumar alias Dalbir and others****FAO-1834-2022 (O&M)****M/s Aggarwal Transport Organization V/s Neelam and others**

Present: Mr. G.C. Shahpuri, Advocate
for the appellants (in FAO-4459-2019)

Mr. HPS Ghumman, Advocate
for the appellant (in FAO-1834-2022)

Mr. Aseem Aggarwal, Advocate with
Ms. Charanjit Kaur, Manager,
Ms. Nikita Chhabra, AM
for the New India Insurance Company Limited.

* * * *

This order shall dispose of two appeals one filed by the appellants i.e. **FAO-4459-2019** seeking enhancement of the amount award by the MACT and another i.e. **FAO-1834-2022** filed by the owner of the offending vehicle challenging the impugned award dated 03.05.2019 whereby the recovery rights was given to the Insurance Company to recover the amount of compensation from the driver and owner of the offending vehicle i.e. respondents No.1 and 2 on the ground that the driver was not holding the driving licence.

Both the appeals have been entrusted to this Forum for the purpose of settlement.

Learned counsel for the appellant-owner in FAO-1834-2022 has submitted before this Forum that driving licence has been placed on record as Annexure A-2 alongwith verification report verified by Transport Department, Government of Rajasthan (DTO, Jhunjhunu). On the last date of hearing, a photocopy of the driving licence had been given to the Insurance company to verify the same.

Today learned counsel for the Insurance Company submitted that the driving licence of the driver has been verified to be genuine on the date and a statement has also been given to that effect.

As agreed, as per statement of the learned counsel for the Insurance Company and counsel for the appellants, (separately recorded today), a sum of **RS 4,45,000/-** (Rupees four lakh fourty five thousand only) more, over and above,



the amount awarded by the Tribunal is allowed to the appellants, in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants the enhanced amount would be paid to the appellant No.1-Neelam.

We dispose of this case with a direction to Insurance Company to deposit a crossed-cheque in the sum of Rs.4,45,000/- (Rupees four lakh fourty five thousand only) in the name of the appellant No.1-Neelam with the office of the Lok Adalat of the High Court on or before 23.04.2026 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 appellant's counsel/appellant may collect the cheque from the office of the Lok Adalat.

In view of the disposal of the appeal of the claimants and statement made by the learned counsel for the Insurance company, the appeal filed by the owner is allowed to the effect that recovery rights given to the Insurance Company and fastened upon the owner and driver are waived off.

Statutory amount of Rs.25,000/- deposited at the time of filing the appeal by the owner, be refunded as per Rules.

All the civil miscellaneous applications stand disposed of in view of settlement in these appeals.

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

A photocopy of this order be placed on the file of connected case.

(J.C. VERMA)
PRESIDENT

(ARVIND KUMAR)
MEMBER

26.02.2026

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