

2026:PHHC:007407



Daily Lok Adalat

Bench No.1

504 (2 cases)

FAO-5090-2019 and FAO-4522-2019 (O&M)

POONAM DEVI AND ORS. V/S SHAMSHER SINGH AND ORS.

Present: Mr. Shourya Mehra, Advocate for
Mr. Shobhit Phutela, Advocate
for appellants (in FAO-5090-2019)
for the respondents (in FAO-4522-2019)

Mr. Anubhav Swiach, Advocate
for the appellant-owner (in FAO-4522-2019)
for the respondent No.1. (in FAO-5090-2019)

Mr. Sandeep Suri, Advocate &
Mr. Maninder Arora, Advocate along with
Mr. Divyansh, Manager and
Ms. Mukesh, DM for the United India Ins. Co. Ltd.

This order shall dispose of two appeals one filed by the appellant ie. FAO-5090-2019 seeking enhancement of the amount award by learned MACT and another i.e. FAO-4522-2019 filed by the owner of the offending vehicle challenging the impugned award dated 05.03.2019 whereby the recovery rights was given to Insurance Company to recover the amount of compensation from the respondent No.1 being driver and owner of the offending vehicle on the ground of absence of a valid route permit.

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

Learned counsel for the appellant-owner has submitted before this Forum that the route permit has already been placed on record as Annexure A-1. It is further submitted that vide order dated 13.03.2024, the Hon'ble High Court had directed the Insurance Company to verify the said route permit. Pursuant thereto, the Insurance Company has verified the route permit and found the same to be valid on the date of the accident.

As agreed, as per statement of the representatives of the Insurance Company and counsel for the appellants, (separately recorded today), a sum of Rs.3,40,000/- (Rupees Three Lakh Forty 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- Poonam Devi.

Learned counsel for the appellants, on instructions from the appellants, has clarified that Smt. Kaushlaya Devi, mother of the deceased and arrayed as proforma respondent No.3 herein, shall not claim any share in the enhanced amount. It has further been stated that in the event of any dispute regarding disbursement of the amount inter se between the appellants and proforma respondent No.3, the same shall be resolved by themselves.

We dispose of the appeal filed by the claimants with a direction to Insurance Company to deposit a crossed-cheque in the sum of Rs.3,40,000/- (Rupees Three Lakh Forty Thousand only) in the name of the appellant No.1- Poonam Devi with the office of the Lok Adalat of the High Court on or before 10.03.2026 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 appellants' counsel/appellants may collect the cheque from the office of the Lok Adalat.

In view the disposal of the appeal of the claimants and statement made by learned counsel for the appellant-owner, the appeal filed by the owner is also disposed of accordingly.

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

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

20.01.2026
Atul