
(2021) 09 MP CK 0058

In the Madhya Pradesh High Court

Case No : Miscellaneous Appeal No. 1710 Of 2010

Bhawna & Ors.

APPELLANT

Vs

Sunita & Ors

RESPONDENT

Date of Decision : 11-09-2021

Acts Referred:

Citation : (2021) 09 MP CK 0058

Hon'ble Judges : Sujoy Paul, J; Amit S. Agrawal, J

Bench : Division Bench

Advocate : Sameer Verma, P. Saxena

Judgement

1. This appeal by the claimant has been filed for enhancement of compensation awarded by I Addl. Member, MACT, Indore in Claim Case No.70/2009 decided on 22/2/2010 and has been placed before this Lok Adalat under Section 20 of the Legal Services and Authorities Act, 1987.

2. The matter was discussed. After hearing Counsel appearing for both parties and after perusing the relevant record, we felt that the compensation awarded by the Claims Tribunal was on lower side and deserved to be enhanced by Rs.4,40,000/-(Rs.four lakh forty thousand only). We therefore suggested that the matter should be settled on these lines.

3. Accepting our suggestion, the parties have entered into a settlement and have filed an application for recording the same. The application is signed by the representatives of the parties. The compromise between the parties is verified. It is just, valid and lawful. It is, therefore, ordered to be recorded. Accordingly, an award is passed in the following terms:-

[a] That the respondent No.3 (Insurance Company) shall pay a sum of Rs.4,40,000/-(Rs.four lakh forty thousand only) in addition to the amount already awarded by the Claims Tribunal in full and final satisfaction of the claim made by the appellants in this appeal.

[b] That the respondent No.3 (Insurance Company) shall deposit the said amount in the Claims Tribunal for payment to the appellants within a period of three months from today, failing which this additional amount shall be recoverable with interest calculated at the rate of 9% per annum from the date of this award.

[c] On deposit being made the Claims Tribunal shall permit the appellants to withdraw the same.

[d] Parties to bear their own costs.

[e] The Court fees be refunded after due verification in terms of Section 21(1) of the Legal Services and Authorities Act, 1987.

4. Copy of this award be given to both the parties free of charges.