

(2024) 05 UK CK 0130

In the Uttarakhand High Court

Case No : Appeal From Order No. 115 Of 2020

Divisional Manager (Operation), Uttarakhand Transport
Corporation, Dehradun

APPELLANT

Vs

Kavita Devi And Five Others

RESPONDENT

Date of Decision : 11-05-2024

Acts Referred:

Motor Vehicles Act, 1988 — Section 173

Citation : (2024) 05 UK CK 0130

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Prem Kaushal, B.S. Negi

Judgement

Alok Kumar Verma, J

1. Present Appeal under Section 173 of the Motor Vehicles Act, 1988 has been filed by the owner of the offending vehicle challenging the Award dated 18.12.2019, passed by learned Motor Accident Claims Tribunal, Chamoli in Motor Accident Claim Petition No.12 of 2018, by which, the learned Tribunal has awarded a sum of Rs.11,28,400/-(Rupees Eleven Lakh Twenty Eight Thousand Four Hundred) along with an interest at the rate of 6% per annum from the date of petition till its actual payment.

2. Today, before the National Lok Adalat, Mr. Pradeep Sati, the Divisional Manager (Law) of the appellant, is present. He is identified by Mr. Prem Kaushal, Advocate. Mr. B.S. Negi, learned counsel for respondents-claimants is present.

3. Both the parties submitted that they have resolved their disputes, and after resolving their disputes, they have filed a compromise application. As per the compromise, the appellant is ready to pay Rs.11,50,000/-(Rupees Eleven Lakh Fifty Thousand) to the respondents-claimants, out of which a sum of Rs.10,00,000/- (Rupees Ten Lakh) has already been deposited before the concerned Tribunal. The respondents-claimants are entitled to withdraw the said

deposited amount and the remaining amount of Rs.1,50,000/-(Rupees One Lakh Fifty Thousand) will be deposited by the appellant before the concerned Tribunal within one month of receiving the copy of this order.

4. Both the parties submitted that they have filed the compromise application with their free will and without any pressure.

5. Both the parties have requested to decide the present Appeal on the basis of the Compromise.

6. The Compromise Application is verified.

7. The present Appeal (AO No.115 of 2020) is decided on the basis of the Compromise. The Compromise Application will form part of this order.