

**(2017) 11 DEL CK 0547**

**In the Delhi High Court**

**Case No :** MAC. Appeal No. 235 Of 2012, 163 Of 2013

Future Generali India Insurance Co Ltd

APPELLANT

Vs

Suman Goswami & Ors

RESPONDENT

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**Date of Decision :** 10-11-2017

**Acts Referred:**

Code Of Civil Procedure, 1908 — Order 12 Rule 8

**Citation :** (2017) 11 DEL CK 0547

**Hon'ble Judges :** R.K.Gauba, J

**Bench :** Single Bench

**Advocate :** Arihant Jain, Shantha Devi Raman, Navneet Goyal

**Final Decision :** Disposed Of

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## **Judgement**

S.No.,Heads,Compensation

1.,Loss of dependency,"Rs. 13,50,000/-

2.,Funeral charges,"Rs. 10,000/-

3.,Loss of estate,"Rs. 10,000/-

4.,Loss of consortium,"Rs. 10,000/-

5.,Loss of company of deceased,"Rs. 50,000/-

6.,Loss of love and affection,"Rs. 1,00,000/-

,Total,"Rs. 15,30,000/-

accepted as the third party interest cannot be defeated. Since the interests of the insurer are duly protected, it should not grudge the statutory",,

responsibility placed at its door,,

15. By order dated 05.03.2012 in MAC Appeal No. 235/2012, the insurance company had been directed to deposit 80% of the awarded amount with",,

the Registrar General. By subsequent order dated 27.05.2013, 50% of the amount thus deposited was permitted to be released to the claimants. In",,,

terms of further directions by order dated 01.09.2014, another sum of Rs. 1,00,000/- was released to the first claimant.",,,

16. The registry shall now calculate the amount payable to the claimants under the modified award and release the balance from the remainder",,,

refunding the excess, if any, to the insurer. Conversely, if there is any deficiency in the payment, the insurer will be liable to make the same good by",,,

requisite deposit with the tribunal within thirty days to be made available to be released to the claimants.,,,

17. The insurer may exercise its recovery rights by taking out appropriate proceedings before the tribunal.,,,

18. Statutory amount made by the insurer shall be refunded up on proof of deposit being shown.,,,

19. The appeals are disposed of in above terms.,,,