

(2024) 01 RAJ CK 0055

In the Rajasthan High Court

Case No : Civil Miscellaneous Appeal No. 107 Of 2021

Narbada

APPELLANT

Vs

Vithalla @ Vithal And Others

RESPONDENT

Date of Decision : 11-01-2024

Acts Referred:

Citation : (2024) 01 RAJ CK 0055

Hon'ble Judges : Rekha Borana, J

Bench : Single Bench

Advocate : R.S. Bhati, Lalit Parihar, Sanjeev Johri

Final Decision : Disposed Of

Judgement

Rekha Borana, J

1. A submission has been made by the learned counsel for the parties that a compromise has been entered into between the parties in the spirit of lok adalat and as the National Lok Adalat scheduled to be held on 09.12.2023 has not been held, a permission for listing the case has been made.

In view of the above request, the appeal has been permitted to be listed today.

2. The present civil misc. appeal has been preferred by the appellant seeking enhancement of the compensation amount as awarded by judgment dated 20.03.2020 passed in MAC Case No.156/2017 (CIS No.156/2017) by learned Motor Accident Claims Tribunal, Banswara (Raj.) whereby the claim of the appellant seeking compensation against the respondents was partly allowed holding defendant No.3 also liable to pay compensation of Rs.1,36,607/- with interest @6% per annum.

3. Learned counsel for the parties, in the spirit of Lok Adalat, have placed on record a memorandum of understanding/ compromise entered into between the parties, which is taken on record.

4. In view of the above and in spirit of lok adalat, the compensation amount as awarded by the impugned judgment dated 20.03.2020 is further enhanced by Rs.1,45,000/- in favour of the claimant-appellant as a full and final settlement of the case. The amount so agreed shall be deposited by respondent No.3- Insurance Company with the Tribunal within a period of two months from today failing which, the same shall carry interest @7.5% per annum from the date of this order till actual realization. The enhanced amount of compensation be disbursed/ deposited in terms of the award in the saving bank account of the claimant-appellant. The impugned judgment/award dated 20.03.2020 passed by MACT, Banswara (Raj.) in MAC Case No.156/2017 (CIS No.156/2017) is modified accordingly.

5. In view of the above, the appeal is disposed of.