

(2021) 09 MP CK 0056

In the Madhya Pradesh High Court

Case No : Miscellaneous Appeal No. 3740 Of 2019

Rajesh

APPELLANT

Vs

Satish And Anr

RESPONDENT

Date of Decision : 11-09-2021

Acts Referred:

Legal Services And Authorities Act, 1987 — Section 20, 21(1)

Citation : (2021) 09 MP CK 0056

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

Bench : Division Bench

Advocate : R.N Dave, Pankaj Kumar Jain

Judgement

1. This appeal by the claimant has been filed for enhancement of compensation awarded by 8th Member, MACT (M.P.), in Claim Case No.2032/2017 decided on 04/04/2019 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.1,10,000/- (Rs. One Lakh Ten Thousand). 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.2 (National Insurance) shall pay a sum of Rs.1,10,000/- (Rs. One Lakh Ten Thousand) in addition to the amount already awarded by the Claims Tribunal in full and final satisfaction of the claim made by the appellant in this appeal.

[b] That the respondent No.2 (National Insurance) shall deposit the said amount in the Claims Tribunal for payment to the appellant within a period of two months from today, failing which this additional amount shall be recoverable with interest calculated at the rate of 7% per annum from the date of this award.

[c] On deposit being made the Claims Tribunal shall permit the appellant 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.