

(2022) 01 RAJ CK 0062

In the Rajasthan High Court

Case No : S.B. Civil Miscellaneous Appeal No.1391 Of 2019

Trilok S/O Hajari Bheel

APPELLANT

Vs

Reliance General Insurance Co. Ltd And Others

RESPONDENT

Date of Decision : 28-01-2022

Acts Referred:

Motor Vehicles Act, 1988 — Section 173

Citation : (2022) 01 RAJ CK 0062

Hon'ble Judges : Manoj Kumar Garg, J

Bench : Single Bench

Advocate : Manish Pitaliya, Vishal Singhal

Final Decision : Partly Allowed

Judgement

Manoj Kumar Garg, J

This civil misc. appeal has been filed under Section 173 of Motor Vehicles Act, 1988 by the appellant-claimant for enhancement of the compensation

awarded by the Judge, Motor

Accident Claims Tribunal No.1, Bhilwara vide judgment & award dt. 01.02.2019 passed in MAC Case No.472/2015. The learned Tribunal has

awarded a compensation in the sum of Rs.1,58,858/- in favour of the appellant/claimant.

Learned counsel for the appellant-claimant as well as learned counsel for the respondent-Insurance company submit that in the spirit of Lok Adalat,

both the parties have agreed on payment of a lump-sum amount of Rs.1,27,000/- in addition to the amount already paid to the claimant-appellant.

Therefore, it is prayed that the judgment and award impugned may be modified accordingly.

In view of the submissions made by the parties, the civil misc. appeal is partly allowed. The impugned judgment & award dt. 01.02.2019 is modified to the extent that the respondent-Insurance Company shall pay lump-sum amount of Rs.1,27,000/-to the appellant/claimant in addition to the amount already paid to the claimant, as agreed by them, within a period of two months from today. If the aforesaid lump sum amount is not paid to the claimant within the stipulated time, the respondent-Insurance Company shall pay interest @ 6% per annum over the due amount from the date of this order.