

High Court of Madhya Pradesh: Bench at Indore
NATIONAL LOK ADALAT
MISC.APPEAL No.6480/2019

Bhawarsingh Vs. Gulab Singh & Ors.

For appellant: Shri Himanshu Paliwal, Advocate.
For respondent: Shri.Mayank Upadhyaya, Advocate for Insurance Co.

A W A R D

(Passed on this 13th day of August, 2022)

This appeal by the claimant has been filed for enhancement of compensation awarded by VIII Member, MA:CT, Distt. Ujjain in Claim Case No.23/2019 decided on 1/8/2019 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.5,00,000/- (Rs. Five lakh only). 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.3** (Insurance Company) shall pay a sum of Rs.5,00,000/- (Rs. Five lakh only) 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.3** (Insurance Company) shall deposit the said amount in the Claims Tribunal for payment to the appellant within a period of three months from today, failing which this additional amount shall be recoverable with interest calculated at the rate of 9% 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.

[f] Parties have reached to a settlement which is reduced in writing in a separate docket annexed herewith.

4. Copy of this award be given to both the parties free of charges.

(Justice Vijay Kumar Shukla)
MEMBER

(NIDHI BOHARA)
MEMBER

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