



Daily Lok Adalat

Bench No.2.

507

FAO-3410-2021 (O&M)

**RADHA AND ANOTHER V/S MUKESH AND OTHERS**

Present: Mr.L.K.Gollen, Advocate for the appellants.

Mr.Rahul Pathania, Advocate, and  
Mr.R.C.Kapoor, Advocate, with  
Ms.Charanjit Kaur, Manager,  
New India Assurance Company Limited.

\* \* \* \*

Present FAO is accompanied by an application for condonation of delay of 2353 days in filing the present appeal. The reason given in the application is that though appellant No.1, being 100% blind lady, instructed some lawyer to file appeal in this case and she was informed that appeal has been filed, however, in fact the same was not filed and when she came to know later on that appeal has not been filed, she engaged another counsel to file the present appeal.

In view of this fact, the Insurance Company has compromised this case in the Lok Adalat on the condition that appellants could not get interest for delayed period of five years and the said plea has been accepted by learned counsel for the appellants.

In the claim petition, widow sister of the deceased was also a party. Though she was held to be dependent upon the deceased, however, she is entitled to the loss of filial consortium of ₹48,000/-. Hence, while calculating compensation, ₹48,000/- as filial consortium has also been awarded to her.

Thus, as agreed, as per statements of learned counsel for the appellants, learned counsel and representative of the Insurance Company

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(separately recorded), a sum of ₹4,50,000/- (₹ Four Lakh Fifty Thousand Only) over and above the amount awarded by the Tribunal is allowed to the appellants in full and final settlement of the claim in this appeal. As per the statement of learned counsel for the appellants, the enhanced amount be paid to appellant No.1 - Smt.Radha widow of Shri Rajesh.

Accordingly, we dispose of this case with a direction to the Insurance Company to deposit a crossed-cheque for ₹4,50,000/- in the name of appellant No.1 - Smt.Radha widow of Shri Rajesh with the office of the Lok Adalat of the High Court on or before 16.10.2025, in compliance of this order, failing which, interest @ 9% per annum shall follow on this amount from the date of this order till payment. The concerned Officer of the Lok Adalat Branch/Office shall issue proper receipt after receiving the cheque to learned counsel/representative of the respondent-Insurance Company. The appellant(s)' counsel/appellant(s) may collect the cheque from the office of the Lok Adalat.

Copy of the order be supplied/sent to the counsel/parties and file be returned to the Hon'ble High Court.

**(R.K.Nehru)**  
**President**

**(Ram Chand Gupta)**  
**Member**

**28.08.2025**

P.Seth