

NATIONAL LOK ADALAT

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

629

FAO-1896-2016

NAND KISHORE

.....APPELLANT

VS

KAMALJEET SINGH & ORS.

....RESPONDENTS

Present: Mr. Punit Pali, Advocate for the appellant.

Mr. Sachin Ohri, Advocate and
Ms. Nandini Gupta, Advocate for
Mr. Nigam K. Bhardwaj, Advocate with
Mr. Abhishek, Legal Manager for Bharti AXA GIC.

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It has been informed to the Court that the sole appellant-Nand Kishore has unfortunately expired on 12.08.2019 and necessary applications to place on record death certificate of appellant and to implead his LRs were filed, which have been numbered as CM-4700-4701-CII-2025, but the same have not been tagged with the file. The death certificate has been produced before this bench, which is taken on record.

There may not be any specific order qua impleadment of LRs but Insurance Company shall not delay the payment as the matter stands finally settled and the payment be released in favour of the LRs of the appellant-Nand Kishore i.e. Sham Lal, Aged 63 years, Raj Kumari, Aged 51 years, parents of the deceased and Payal (Sister) since Nand Kishore-Appellant was unmarried.

Both the parties have agreed for full and final settlement with the enhanced compensation at Rs.35,00,000/- (Rupees Thirty Five Lac Only) over and above the amount awarded by the learned MACT, Ambala.

The enhanced amount is to be credited to the account of the LRs of the deceased appellant-Nand Kishore within a period of four

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weeks from today. The LR's have undertaken to provide the bank details enabling the respondent-Insurance Company to credit the amount through RTGS within a week. In case the LR's fail to provide the bank details for the purpose of transfer of amount so enhanced here-in-above, the insurance company will be at liberty to issue demand draft against the said amount.

It is further made clear that in case the insurance company fails to deposit the amount of enhanced compensation within the stipulated period of four weeks, it shall carry interest @ 9% per annum from the date it became due till the date of its realization.

The present appeal is disposed of in the aforesaid terms.

Pending civil miscellaneous application, if any, also stand disposed of.

A copy of this order be supplied to the respective counsel for the parties and file be returned to the High Court.

(SANDEEP MOUDGIL)
PRESIDENT

(KANWALJIT SINGH)
MEMBER

08.03.2025

NainaRajput