



Daily Lok Adalat

Bench No.2.

505

FAO-4749-2016 (O&M)

ROYAL SUNDRAM ALLIANCE INS. CO. LTD. V/S SABANA AND ORS.

Present: Mr. D.K.Prajapati, Advocate for the appellant – Ins. Co.
Mr.Ashit Malik, Advocate for respondent Nos.1 to 5.

* * * *

It has been stated by learned counsel for the appellant – Insurance Company that as per award dated 20.05.2015 passed by the MACT, respondents-claimants were allowed total compensation of ₹18,12,504/- alongwith interest @ 9% per annum from the date of institution of claim petition till realization. The award was challenged by the Insurance Company in this appeal. Hon'ble High Court vide order dated 19.08.2016, directed the appellant - Insurance Company to deposit the entire amount as awarded by MACT with the Tribunal alongwith interest and however, disbursement beyond ₹13,50,000/- plus interest as awarded by the Tribunal was stayed.

The matter has been compromised. Respondents - claimants have agreed to settle the matter for total amount of ₹2,00,000/- over and above ₹13,50,000/- plus interest already received by the respondents-claimants from the Tribunal. It has also been stated by learned counsel for the appellant - Insurance Company that in compliance of order dated 19.08.2016, Insurance Company has already deposited the entire amount with interest with the Tribunal and after releasing ₹13,50,000/- with interest to the respondents-claimants, the remaining amount is lying with the MACT and the same be also ordered to be refunded to the appellant - Insurance Company.

In view of the same as the matter has been settled, Insurance

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Company is directed to deposit a crossed-cheque for ₹2,00,000/- (₹ Two Lakh Only) in the name of respondent No.1 - Smt.Sabana widow of Dilshad with the office of the Lok Adalat of the High Court on or before 30.04.2025, 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 appellant - Insurance Company. The respondent(s)' counsel/respondent(s) may collect the cheque from the office of the Lok Adalat.

However, the Tribunal is directed to refund the remaining amount deposited by the Insurance Company alongwith interest to the appellant - Insurance Company.

Present appeal stands disposed of accordingly.

It has also been stated by learned counsel for the appellant – Insurance Company that Insurance Company has also deposited ₹25,000/- with the Registry of this Court at the time of filing of the appeal and the same be ordered to be refunded to the appellant-Insurance Company.

As appeal has since been disposed of, Registry is directed to refund ₹25,000/- to the Insurance Company already deposited by it.

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

19.03.2025

P.Seth

(Ram Chand Gupta)
Member