

2025:PHHC:119862



**Daily Lok Adalat**

**Bench No.1**

**506**

**FAO-2416-2017 (O&M) XOBJC-56-2023 and FAO-2417-2017 (O&M)**

**MONIKA VS. PAWAN KUMAR @ VYAS DEV AND OTHERS**

Present:- Mr. Wazir Singh, Advocate for the appellants.

Mr. Kamal Chaudhary, Advocate with  
Mr. Pawan Kumar,  
respondent No.2-Owner (in person) Cross-Objector.

Mr. Punit Jain, Advocate  
for the Insurance Company-Bharti Axa General Ins. Co.  
(Now ICICI Lombard General Insurance Company).

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Two appeals filed by Monika bearing No.FAO-2416-2017 on account of the death of her husband Ramesh and another appeal bearing No.2417-2017 for personal injuries and that the Cross Objection No.C-56-2023 filed by Pawan Kumar son of Bachna Ram (owner) of the vehicle are being disposed of vide this common order.

The facts are that Monika wife of Ramesh met with an accident on 09.02.2014 . Ramesh died in the said accident whereas Monika received injuries. She filed two claim petitions. The claim petitions were disposed of, wherein she was awarded Rs.7,38,840/- along with 9% from the date of filing of the petition on account of the death of her husband Ramesh. Whereas for personal injuries, she was awarded compensation of Rs.1,25,000/- along with the said interest vide Award dated 26.05.2016 passed by MACT, Panipat. The Insurance Company was absolved in making the payment and the liability was fastened on Pawan Kumar @Vyas (driver) and Pawan Kumar son of Bachna Ram (owner) of the offending vehicle.

The claimant Monika filed these present two appeals seeking enhancement of compensation whereas Pawan Kumar son of Bachna Ram (owner) has filed the said cross objections.

Since respondent No.1 and 2 did not make any payment as awarded by the MACT, the claimant had filed the execution petition as well which is stated to be pending. The present case has been referred to this forum for the purpose of settlement.

After having discussed, both the appeals have been settled for a total sum of Rs.20 lakh (including the amount awarded by the Tribunal) with up to date interest in full and final settlement of the claim in these appeals. Out of this 20 lakh, Rs.10 lakh would be paid by the owner I Pawan Kumar son of Bachna Ram and remaining 10 lakh rupees to be paid by the Insurance Company (including awarded amount by the MACT) and the Insurance Company will not recover the said amount from the owner-driver.

In respect of the said settlement the statements of Mr. Wazir Singh, learned counsel for the claimant, Mr. Punit Jain, learned counsel for the Insurance Company and Kamal Chaudhary have been recorded to this effect.

The counsel for the claimant also endorses this settlement with an undertaking that if the payment is made within the time fixed he will not press the execution petition and liberty be also given to respondent No.2 to recover the amount fallen to the share of driver Pawan @Vyas ~~XXXX~~ as well proportionately. Request allowed with the aforesaid liberty permissible under the law.

Backed with the said settlement, we dispose of these case with the direction to this Insurance Company to deposit 2 cross cheques in sum of Rs.9,50,000/- (Rupees Nine Lakh Fifty Thousand) in FAO-2416-2017 and Rs.50,000/- (Rupees Fifty Thousand) in FAO-2417-2017 totalling Rs.10,00,000/- (Rupees Ten Lakhs) the remaining Rs.10,00,000/- to be

FAO-2416-2017 (O&M) XOBJC-56-2023 and FAO-2417-2017 (O&M) -3-  
deposited by the owner of the respondent No.2-Pawan Kumar son of Bachna Ram in the name of appellant-Monika with the office of Lok Adalat of the High Court on or before 03.11.2025 failing which the amount will carry 9% interest per month from the date of this order till the cheques are deposited with the office of the Lok Adalat. The appellant's counsel may collect cheque from the office of the Lok Adalat. In view of the settlement/statements, both the appeals and the cross objections stands disposed of accordingly.

Pending applications, if any, stand disposed of in view of the settlement.

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

Photocopy of this order be placed on the file of connected cases.

**(J.C. VERMA)**  
**PRESIDENT**

**03.09.2025**  
Vinod

**(ARVIND KUMAR)**  
**MEMBER**