

**FAO-5218-2008 (O&M)**

**MOHD. IRSHAD ALI  
VS.  
SOM NATH AND OTHERS**

Present: Mr. Vivek Khatri, Advocate, for the appellant.

Mr. PHS Pannu, Advocate and  
Mr. Sonu Rathi, Senior Executive (Legal) for the insurance company  
and Mr. Vishal Aggarwal, Advocate and  
Mr. Hritik Sharma, Advocate  
for the respondent-Insurance company.

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CM-18533-CII-2024

This is an application for condoning the delay of 3151 days in filing the application for restoration.

For the reasons recorded in the application, taking a lenient view and considering that efforts should be made to resolve the controversy not on technicalities but on merits. In the interest of justice, delay of 3151 days in filing the application for restoration is condoned.

CM-18534-CII-2024

This is an application for restoration of the main appeal at its original number.

For the reasons recorded in the application, duly supported by affidavit, same is allowed. Main appeal is ordered to be restored at its original number.

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As agreed, as per statements of learned counsel for the appellant, learned counsel and representative of the respondent-Insurance Company (separately recorded), a sum of Rs.1,40,000/- (Rs. One Lakh Forty Thousand Only) over and above the amount awarded by the Tribunal is allowed to the

appellant in full and final settlement of the claim in this appeal.

Accordingly, we **dispose of** this case with a direction to the Insurance Company to deposit a crossed-cheque for Rs.1,40,000/- in the name of appellant with the office of the Lok Adalat of the High Court within a period of two months in compliance of this order, failing which, interest @ 9% per annum shall follow on this amount till payment from the date of this order. 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.

**(AARADHNA SAWHNEY)**  
**PRESIDENT**

**(GAURAV CHOPRA)**  
**MEMBER**

**Date:13.09.2025**  
parveen Kumar