IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE LOK ADALAT

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

&

SHRI SHISHIR KUMAR PUROHIT

ON THE 9th OF SEPTEMBER, 2023

MISC. APPEAL No. 137 of 2021

BETWEEN:-

SMT. MAMTA W/O LATE SHRI SOHAN SINGH, AGED ABOUT 25 YEARS, OCCUPATION: HOUSEWIFE VILLAGE SANGHVI TEHSIL DEPALPUR, DIST. INDORE (MADHYA PRADESH)

.....APPELLANT

(BY SHRI GUATAM GUPTA- ADVOCATE)

AND

1. **BABULAL CHOUDHARY S/O BADRILAL CHOUDHARY OCCUPATION: OWNER 3, VLLAGE RAJASWA , CHATRIBAGH (MADHYA PRADESH)**

2. **OMPRAKASH CHOUDHARY S/O SHRI RAMCHANDRA CHOUDHARY 41/1, CHHATRIBAGH DIST. INDORE (MADHYA PRADESH)**

3. **IFFCO TOKIO INSURANCE CO. LTD. THROUGH MANAGER COMMERCE HOUSE RACE COURSE ROAD INDORE (M.P) (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI RAJESH PANDIT- ADVOCATE)

This appeal coming on for conciliation this day, the Bench passed the following:

ORDER

1 . This appeal by the claimants has been filed for enhancement of compensation awarded by Fourth Member, Motor Accident Claims Tribunal,

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Indore, (M.P.) in Claim Case No.997/2016 decided on 10/01/2020 and has been placed before this Lok Adalat u/S. 20 of the Legal Services and Authorities Act, 1987.

2. The matter was discussed. After hearing counsel appearing for both the parties and after perusing the relevant record, we felt that the compensation awarded by the Claims Tribunal was on lower side and deserves to be enhanced by Rs.1,80,000/-. We, therefore, suggested that the matter should be settled on these lines.

3. Accepting our suggestion, the parties have entered into a settlement and have filed an application for recording the same. The application is signed by the representatives of the parties. The compromise between the parties is valid. It is just, valid and lawful. It is, therefore, ordered to be recorded. Accordingly, an award is passed in the following terms :-

(a) That the respondent / Insurance Co. Ltd., shall pay a sum of Rs.1,80,000/- (Rupees One Lac Eighty Thousand Only), in addition to the amount already awarded by the Claims Tribunal in full and final satisfaction of the claim made by the appellants in this appeal.

(b) That the respondent/Insurance Co. Ltd., shall deposit the said amount in the Claims Tribunal for payment to the appellants, within a period of three months from today, failing which this additional amount shall be recoverable with interest calculated @ 7.5% per annum from the date of this award.

(c) On deposit being made, the Claims Tribunal shall permit the appellants to withdraw the same.

(d) Since the matter has been settled between the parties in this Lok Adalat, the Court fee, if any, paid by the claimant(s) be refunded on issuing certificate by the Registry in view of direction given by Division Bench of this

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Court in the case of Ramesh Chandra Vs. State of MP (ILR 2012 MP 320).

(e) Parties to bear their own costs.

4. Copy of this award be given to both the parties free of charge.

(JUSTICE PREM NARAYAN SINGH)
MEMBER

(SHISHIR KUMAR PUROHIT)
MEMBER

akanksha

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