

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JAIPUR BENCH, JAIPUR.

**J U D G M E N T**

S.B.CIVIL MISC.APPEAL NO.6882/2011.

Ranjeet Singh & Anr.

Vs.

Pawan Kumar & Ors.

Date of Judgment :-

November 28, 2014.

**HON'BLE MR. JUSTICE MAHESH CHANDRA SHARMA**

Shri Ripu Daman Singh Naruka for the claimant-appellant/s.

Shri Praveen Jain for respondent Insurance Company.

\* \* \* \* \*

**BY THE COURT:-**

The defect pointed out by the registry is over ruled.

This appeal has been filed against the impugned judgment and award passed by the Motor Accident Claims Tribunal for enhancement of the quantum of compensation.

Keeping in view the pious work of Lok Adalat, at this stage, the counsel for both the parties i.e. the claimant/s and the insurance company agree that this appeal may be disposed of on the basis of the compromise.

The learned counsel for the respondent/insurance company gave consent for enhancing the amount of the award i.e. **Rs.50,000/-** (Rupees Fifty Thousand only). This amount shall be in addition to the amount awarded by the learned Tribunal and the claimant/s-appellant/s is/are held entitled to get the aforesaid amount.

In view of above, this appeal is partly allowed and it is directed that the respondent-insurance company shall deposit the aforesaid enhanced amount with the

learned Tribunal within a period of twelve weeks from the date of receipt of certified copy of this order and the same shall be disbursed to the claimant/s immediately. In case, the amount is not paid to the claimant/s within the stipulated period of twelve weeks, the claimant/s shall be entitled to interest @9% per annum on the enhanced amount from the date of passing of the award by the Motor Accident Claims Tribunal. Rest of the terms under the award shall remain unchanged. However, it is made clear that if there is any breach of insurance policy or violation of the terms of the policy, the respondent/insurance company shall be at liberty to move an application before the executing court for recovering the amount from the owner of the offending vehicle or he can move an application before this court for recalling of the order.

The impugned award stands modified, as indicated hereinabove.

**(MAHESH CHANDRA SHARMA), J.**

**Anil/189**

*All corrections made in the judgment/order have been incorporated in the judgment/order being emailed. anil goyal–Sr.PA-cum-JW*