

**HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU**

(Through Video Conference)

MA No. 366/2011

Bajaj Allianz Gen. Ins. Co. Ltd.

...Appellant/Petitioner(s)

Through :- Mr. Vishnu Gupta, Advocate
v/s

Durga and ors.

.....Respondent (s)

Through :- Mr. Ajay Singh Manhas, Advocate for R Nos.
1 to 6

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE
(Through Video Conference from High Court Jammu)

ORDER

The present appeal has been filed by the appellant against the award dated 16.04.2011 passed by the Motor Accident Claims Tribunal, Kathua in petition titled Durga and ors. Vs ITD Cementation India Limited and ors.

During the course of hearing, both the counsels appearing for the appellant as well as respondent Nos. 1 to 6, have mutually agreed that only the interest part of the award passed by the learned Tribunal is required to be reduced from 7.5% per annum to 6% per annum and the basic amount shall remain the same. Statement made by both the counsels is taken on record.

In view of the above, the award dated 16.04.2011 is modified to the extent that the rate of interest payable by the appellant-insurance company shall be at the rate of 6 % per annum till the liquidation of the whole amount.

Mr. Gupta submits that whole award amount along with interest at the rate of 7.5% per annum stands deposited by the appellant before this Court. In view of this, the award amount shall be released in favour of the claimants i.e. respondent Nos. 1 to 6 after due verification along with interest at the rate of 6% per annum in

terms of award and the remaining amount, if any, shall be reimbursed to the appellant insurance company.

The appeal is disposed of in the above terms.

(RAJNESH OSWAL)
JUDGE

JAMMU
29.01.2021
Neha

Whether the order is speaking:	Yes/No.
Whether the order is reportable:	Yes/No.

