

ORDER BELOW COMPROMISE PURSIS EXH.13

IN

MACP NO.420 OF 2018

The claimants and the opponent No.3– ICICI Lombard General Insurance Co. Ltd. have entered into compromise. They have placed on record the compromise pursis which is signed by the parties. The compromise is read over to them and they admit the same. Hence, it is recorded. Award be drawn in terms of compromise accordingly. Necessary order to be passed below application Exh.1.

Date:-13/07/2019

[SANJAYKUMAR CHAMPAKLAL GANDHI]

M.A.C. Tribunal (Aux.),
Vadodara.

Place: Vadodara.

[Code No. GJ-00699]

J.K.Surti

ORDER BELOW EXH.1 IN M.A.C. PETITION NO.420 OF 2018

1. Parties have produced Compromise pursis at **Exh.13**. As per order passed below Compromise pursis, the same is recorded and accepted.
2. The claimants and the opponent no.3 – ICICI Lombard General Insurance Co. Ltd. have entered into compromise settling the claim to the tune of **Rs.1,75,000/- (Rupees One Lac Seventy Five Thousand Only)**. The Compromise pursis produced by the parties is read over to them. Thus, this Tribunal is of the opinion that the settlement arrived between the parties is legal and within the purview of subject matter of the claim petition and also in the interest of claimant. The compromise is, therefore, recorded in exercise of the powers conferred under Order 23 of the Civil Procedure Code. Hence, following order is passed:

:: ORDER ::

1. **Opponent no.3 - ICICI Lombard General Insurance Co.** is hereby ordered to deposit an amount of **Rs.1,75,000/- (Rupees One Lac Seventy Five Thousand Only)** in the office of this Tribunal towards full and final compensation within one month from the date of this order.
2. The office shall not deduct or recover the amount of Court fees from the awarded amount deposited with this Tribunal, as the matter is compromised in Lok-Adalat.
3. Court Fees Refund Certificate, as the case may be, be issued in the name of the claimants/ Ld. Advocate appearing on behalf of claimant, if he has paid Court fees, if any.
4. On depositing the amount of compensation, the amount coming to the share of the claimant, **60%** amount be deposited in Fixed Deposit in the name of the claimant in any Nationalized Bank for the period of five (5) years and the remaining **40%** amount be paid to the claimant by an A/c. Payee Cheque on proper verification and identification.
5. The aforesaid Fixed Deposit be made with the condition that no any facility by way of loan, over-draft or cash credit shall be available on the aforesaid investment and the Bank shall not allow the claimant to create any burden upon such deposit. However, the claimant is entitled to receive the periodical interest accrued on the aforesaid FDR.
6. At the maturity of above period of FDR, the bank shall pay the principal amount to the concerned claimant without any further order of the Tribunal.
7. In view of the above, the present claim petition stands disposed off accordingly as compromised in Permanent Lok-Adalat.

Date:13/07/2019

Place: Vadodara.

[SANJAYKUMAR CHAMPAKLAL GANDHI]

M.A.C. Tribunal (Aux.),
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