

CASE CALLED BEFORE LOK ADALATH ON 12-11-2022,

LOK ADALATH BENCH NO.45/2022

Guardian of petitioner files IA U/o 32 R 7 R/w Sec.151 of CPC with a prayer to permit her to enter into compromise with the respondent's on behalf of minor petitioner in the interest of Justice and Equity.

In the affidavit annexed to the IA, the guardian of petitioner has sworn stating on discussion with the respondents No2 they have arrived at conclusion of settlement of claim petition, which is in the interest of minor petitioner. Accordingly, prays to allow the application.

The counsel for petitioner has filed certificate stating the compromise entered between petitioner and 2nd respondent, is in the interest of minor petitioners and it is the maximum amount one fetch for this type of cases as per his knowledge.

In view of the submission of guardian of petitioner and as per the certificate submitted by the counsel for petitioner, I deem it proper to allow the IA to meet the ends of Justice. Consequently, guardian of petitioner is permitted to enter into compromise on behalf of the minor petitioner. Both parties have arrived at compromise and prays to refer the matter to Lok-adalath to report settlement.

Hence, matter referred to Lok-adalath to report settlement.

VI ASCJ & ACMM

Case called before Lok adalath for acceptance of compromise.

By the intervention of conciliators during pre-conciliation.

Parties have agreed for compromise and as a result parties have filed the joint memo and produced Aadhar ID cards.

As per the terms and conditions enumerated in the joint memo, the respondent No.2 - Insurance Company, has agreed to pay compensation to the petitioner, for a sum of Rs.26,30,000/- (Rupees Twenty Six Lakhs Thirty Thousand only) as full and final settlement.

Both the Petitioner and Respondent No.2 have agreed for the same voluntarily by affixing their respective signatures on Joint Memo. The petitioner has requested to release entire amount, as he is in dire need of money.

Compromise entered is lawful as the matter is settled.

As the compromise is not opposed to public policy the same can be accepted.

Hence, we proceed to pass the following;

ORDER

The Petition Filed under Section 166 of M.V.Act, is hereby allowed in part in terms of Joint Memo.

The Respondent No.2 shall pay Rs.26,30,000/- (Rupees Twenty Six Lakhs Thirty Thousand only) as full and final settlement amount to the petitioner and shall deposit it into the tribunal head within nill months from the date of this order.

On deposit of award amount by the respondent No.2, an amount of Rs.15,00,000/- shall be released to the petitioner No.1 and Rs.1,30,000/- shall be released to the Petitioner No.4 through e-payment without any further proceedings, the petitioner shall furnish bank account details; and remaining amount Rs.5,00,000/- each shall be kept in fixed deposit in any Nationalized or Scheduled Bank, in the name of Petitioner No.2 and No.3 till they attain age of majority.

Draw award accordingly.

Advocate

Judicial

conciliator

conciliator