

**IN THE COURT OF Dr. KAMINI LAU:JUDGE (MACT)-01
CENTRAL DISTRICT, TIS HAZARI COURTS, DELHI**

MACT No. 810/2022

FIR No. 229/2022

PS : I. P. Estate

U/s. 279/337/338 IPC

Radhey Shayam Sharma (*Injured*)

Sh. Surya Nath Sharma,
R/o H. No. J-19, GSL-1,
Dilshad Colony,
East Delhi-110 095

..... Petitioner

Versus

1. Aarif Khan (*Driver*)

S/o Sattar Khan
R/o E-32, Gali No. 5,
Shastri Park, Delhi.

2. Suresh Chandra Sharma (*Owner*)

S/o Babu Lal
R/o A-428, 25 Foot Road
Meet Nagar, North East Delhi.

2. M/s United India Insurance Co. Ltd. (*Insurer*)

202, Vardhman Complex, C-2 Block,
Yamuna Vihar, East Delhi.

..... Respondents

Date of filing of DAR: 01.10.2022

Date of Award: **12.12.2022**

SETTLEMENT AWARD

(1) This award shall decide the claim of the injured namely
Radhey Shayam Sharma under the provisions of the **Motor**

Vehicles Act, 1988 as amended up to date to claim compensation in respect of the **Simple** injuries sustained by him in a road vehicular accident which took place on **06.07.2022 at about 02.15 PM at Vikas Marg near I. P. Flyover, New Delhi** involving vehicle bearing registration no. **UP-85BE-5256 (Tractor)** driven by respondent no. 1 **Aarif Khan**, owned by respondent no. 2 **Suresh Chandra Sharma** and duly insured with respondent no. 3 **M/s United India Insurance Co. Ltd.**

(2) In respect of the said accident, an **FIR No. 229/2022** under **Sections 279/337/338 IPC** was registered at Police Station **I. P. Estate** and charge-sheet was filed against the respondent No.1 (Driver) after which the **Detailed Accident Report (DAR)** was filed before this Tribunal, which was registered as **Motor Accident Claim Petition**.

(3) The dispute between the petitioner **Radhey Shayam Sharma** and respondent no. 3 **M/s United India Insurance Co. Ltd.** has been settled amicably and voluntarily for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** which amount has to be deposited by the Insurance Company within a period of 30 days from today.

(4) Statement of petitioner/injured **Radhey Shayam Sharma, Sh. P. S. Jawla, Advocate** appearing for respondent no.1 (Driver) and respondent no. 2 (Owner) and **Sh. Ajay Gaur, Advocate** for respondent no. 3 i.e. insurer **M/s United India Insurance Co. Ltd.**, have been recorded separately. Their statements are accepted by this Tribunal.

(5) In view of the statement of the parties, an award in the sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** is passed in favour of the petitioner/ claimant **Radhey Shayam Sharma** and against the respondent no. 3 i.e. Insurance Company with the directions that the respondent no. 3 i.e. Insurance Company shall deposit **Rs.25,000/- (Rupees Twenty Five Thousand Only)** with the Naib Nazir of this Tribunal **within 30 days** from today failing which respondent no. 3 Insurance Company shall be liable to pay **interest @ 12% per annum** for the delay caused by the insurance company.

(6) On realization of the award amount, the entire amount of **Rs.25,000/- (Rupees Twenty Five Thousand only)** be released to the petitioner upon his producing the **Aadhar Card, PAN Card and Bank Passbook**.

(7) Copy of the award be given to the parties free of costs. Copy of the award be also sent to the court of concerned **Metropolitan Magistrate and Delhi State Legal Services Authority (DSLISA)**.

(8) The Detailed Accident Report (DAR) which was registered as Claim Petition is disposed off as **Settled**.

(9) Naib Nazir is directed to prepare the miscellaneous file for compliance and put up on **13.012023**.

(10) File be consigned to **Record Room**.

Announced in the open Court

(Dr. KAMINI LAU)

Dated: 12.12.2022

PO (MACT)-01, Central District,
Tis Hazari Courts, Delhi

Radhey Shayam Sharma Vs. Aarif Khan & Ors.
MACT No. 810/2022
FIR No. 229/2022
PS: I. P. Estate

12.12.2022

Present: None for the petitioner.

Sh. P. S. Jawla, Advocate with respondent no. 1 & 2.

Sh. Ajay Gaur, Advocate for respondent no. 3 Insurance
Company.

The petitioner is not present. IO is directed to secure the
presence of the petitioner.

Be awaited.

(**Dr. Kamini Lau**)
PO (MACT)-01, Central,
Tis Hazari Courts, Delhi/ 12.12.2022

2:00 PM

Present: Sh. K. C. Dixit, Advocate with petitioner.

Sh. P. S. Jawla, Advocate with respondent no. 1 & 2.

Sh. Ajay Gaur, Advocate for respondent no. 3 Insurance
Company.

At this stage, I am informed by the parties that there is an
amicable settlement between the petitioner and respondent no. 3
Insurance Company for a sum of **Rs.25,000/- (Rupees Twenty Five
Thousand Only)**.

Statement of petitioner/injured **Radhey Shayam Sharma**,
Sh. P. S. Jawla, Advocate appearing for respondent no. 1 (**Driver**) and
respondent no. 2 (**Owner**) and **Sh. Ajay Gaur, Advocate** for
respondent no. 3 i.e. insurer **M/s United India Insurance Co. Ltd.**,

have been recorded separately. Their statements are accepted by this Tribunal.

In view of the statement of the parties, vide separate detailed order, an award in the sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** is passed in favour of the petitioner/ claimant **Radhey Shayam Sharma** and against the respondent no. 3 Insurance Company.

Copy of the award be given to the parties free of costs. Copy of the award be also sent to the court of concerned **Metropolitan Magistrate** and **Delhi State Legal Services Authority (DSLISA)**.

The Detailed Accident Report (DAR) which was registered as Claim Petition is disposed off as **Settled**.

Naib Nazir is directed to prepare the miscellaneous file for compliance and put up on **13.012023**.

File be consigned to **Record Room**.

(Dr. Kamini Lau)
PO (MACT)-01, Central,
Tis Hazari Courts, Delhi/12.12.2022