

MAC 203 of 2018

18.05.2022

The case record is put up today on the strength of an advance petition filed by the counsel for the petitioner. Counsel for the petitioner and counsel for the O.P. No.2 filed a joint compromise petition to settle this claim case on the ground stated therein. Counsel for the petitioner filed an amendment petition U/o.6 Rule 17 of CPC praying to amend the claim amount from Rs. 200,000/- to Rs.1,30,000/- on the ground stated therein. Copy served. Heard. Since the amendment is formal in nature and does not change the nature and character of the case, the amendment sought for by the counsel for the petitioner is allowed. Office to carry out the amendment order and to assess the Court fees payable on the amendment claim amount.

The compromise petition filed by both the parties is put up for consideration. Claimant, namely, Rina Singh is present before this Court today. Learned counsel for the O.P. No.2 is present. On being asked to the claimant, she has admitted that she has gone through the compromise petition and put her signature on the compromise petition. Heard. On consideration of above factors and going through the compromise, the compromise between the parties is found to be lawful and the settlement arrived at between parties is hereby accepted in terms of compromise and the terms of compromise mentioned in the compromise petition shall do form part of the Award. Accordingly, this claim case is disposed of as compromised. A sum of Rs.1,30,000/-(Rupees one lakh thirty thousand) is awarded in favour of claimant- petitioner. The O.P. No.2 –Insurance Company is directed to pay the compensation amount within two months hence from the date of passing of the order, failing which the petitioner shall entitle to recover the same with an interest @ 6% per annum from the date of filing of the application till realization. The compensation amount shall be paid to the petitioner in shape of cheque through the tribunal and on deposit of cheque, the entire compensation amount be paid in cash to the petitioner.

The court fees amount, if not paid, the same shall be realized from the petitioner at the time of disbursement of the cheque.

MACT-1, Balasore