Sessions case No.66/20

Present : Sri S.N.Azad.Ld. Addl Sessions Judge, 4th court In charge.Purba Bardhaman.

Order No.16 dT:19-09-22

Today is fixed for consideration of cvharge.

Out of five accd. Persons on court bail threer accd persons are absent by filing petition and accd.

Gopal Hazra and krishna Hazra is present by filing haziras.

Ld.P.P. in charge takes no steps.

P.O. is transferred.Hence the case is adjourned today.

To 19-12-22 for consideration of cvharge.

Accds. As before

D/C by me.

Addl Sessions Judge,4th Court -in Ch .
Purba Bardhaman.

Addl Sessions Judge,4th Court -in Ch .
Purba Bardhaman.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 68/401 of 2014

Rani Bibi & 3 Others -vs- ICICI Lombard General Insurance Company Limited & Another

Order no. 1 dated 02/08/2016

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with their learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition submitted by the petitioners.

A perusal of the petition reveals that the parties have filed this claim case claiming compensation of Rs. 4,30,000/-. But, they settled their claim at Rs.3,40,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.3,40,000/-. Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

It appears from the application that the petitioners are the mother, brother and sister of the deceased. The brother and sister are minors. Accordingly, we are of the opinion that petitioner no.1 being the mother of the deceased will receive the entire amount of compensation in this case from the O.P. no.2-Insurance Company.

Hence,

ordered

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioner no.1 do get an award of Rs.3,40,000/- for self and also on behalf of the other petitioners against the O.P.-Insurance Company.

The O.P-2 ICICI Lombard General Insurance Company Limited is directed to make payment of the awarded sum of Rs. 3,40,000/- by issuing one A/c Payee Cheque in the name of the petitioner no.1, Rani Bibi, within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners. Signature of the O.P.

Identified by me Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 50/207 of 2010

Joydev Sar & 3 Others -vs- ICICI Lombard General Insurance Company Limited & Another

Order no. 1 dated 03/08/2016

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with their learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition submitted by the petitioners.

A perusal of the petition reveals that the parties have filed this claim case claiming compensation of Rs. 6,09,500/-. But, they settled their claim at Rs.2,50,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.2,50,000/-. Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

ordered

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs.2,50,000/- against the O.P.-Insurance Company.

The O.P no.2, ICICI Lombard General Insurance Company Limited is directed to make payment of the awarded sum of Rs. 2,50,000/- by issuing Four separate A/c Payee Cheques in the name of the four petitioners, named in the claim petition, in equal share i.e Rs. 62,250/- each, within a month from the date of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

Judge, Permanent Lok Adalat, Burdwan.   Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners.   Signature of the O.P.

Identified by me   Identified by me.

Advocate.   Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 35/232 of 2015

Arati Mallick & 2 Others - vs - ICICI Lombard General Insurance Company Limited & Another

Order no. 1 dated 04/08/2016 :

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with their learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition, submitted by the petitioners.

One xerox copy of Birth Certificate has been filed as a token of proof in regard to the age of the minor petitioner no.3. Let it be kept with the record.

A perusal of the petition reveals that the petitioners have filed this claim case claiming compensation of Rs. 4,58,300/-. But, they settled their claim at Rs.3,90,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.3,90,000/-.

Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

<u>ordered</u>

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs.3,90,000/- against the O.P.-Insurance Company.

The O.P-2, ICICI Lombard General Insurance Company Limited, is directed to make payment of the awarded sum of Rs. 3,90,000/- by issuing one A/c Payee Cheque of Rs. 1,00,000/- in the name of the petitioner no. 1 (mother of the victim), one A/c Payee cheque of Rs. 1,00,000/- in the name of the name of the petitioner no. 3 (minor daughter of the victim) and one A/c payee cheque of Rs. 1,90,000/- in the name of the petitioner no.2 (wife of the victim), named in the claim petition, within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

The mother-petitioner no. 2 will be at liberty to withdraw the cheque for the minor petitioner no. 3 on the undertaking that she will make deposit of the said amount in Bank or Post Office in Fixed Deposit Scheme, till the minor will attain the age of majority.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners. Signature of the O.P.

Identified by me Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 27/110 of 2016

Saraswati Ruidas & 3 Others - vs - Bajaj Allianz General Insurance Company Limited & Another

Order no. 1 dated 05/08/2016 :

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with their learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition, submitted by the petitioners.

Xerox copy of Admit Card of petitioner no.4, Bijoy Ruidas, has been filed. Let it be kept with the record.

A perusal of the petition reveals that the petitioners have filed this claim case claiming compensation of Rs. 4,00,000/-. But, they settled their claim at Rs.2,40,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.2,40,000/-.

Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

On perusal of the Admit Card, it appears that petitioner no.4 is minor. However, the petitioners filed an amended petition. Let it be kept with the record.

Considering all aspects, the prayer for amendment is allowed. Amend the petition accordingly.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

ordered

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs.2,40,000/- against the O.P.-Insurance Company.

The O.P-2, Bajaj Allianz General Insurance Company Limited, is directed to make payment of the awarded sum of Rs. 2,40,000/- by issuing four A/c Payee Cheques of Rs. 60,000/- each in the name of the petitioner no. 1 to 4, named in the claim petition, within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

The mother-petitioner no. 1 will be at liberty to withdraw the cheque for the minor petitioner no. 4 on the undertaking that she will make deposit of the said amount in Bank or Post Office in Fixed Deposit Scheme, till the minor will attain the age of majority.

Judge, Permanent Lok Adalat, Burdwan.　　Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners.　　Signature of the O.P.

Identified by me　　Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.
<u>Title Suit no. 78 of 2015</u>
Sadhanjit Ganguly & Another vs Ranjit Ganguly & 4 others

<u>Order no. 1 dated 1 dated 16/08/2016</u>

Both the parties are present.

The petitioners filed an application under order 6 rule 17 CPC praying for amendment of the application.

Considering all aspects and having heard submission of both sides, we are of the view that the petition is required to be allowed for the ends of justice. Accordingly, the amendment petition is allowed and the cause title is also amended accordingly. The amendment petition is made part of the plaint.

The the parties filed a compromise petition along with the amended plaint and Power of Attorney executed by Smt. Purnima Ganguly, Smt. Kshyama Banerjee, Smt. Minati Mukherjee and Smt. Indrani Mukherjee.

Both petitioners and the defendant no.1 for himself and as representatives of other defendants personally entered appearance before this Lok Adalat. They submitted that the dispute has been settled amicably and they signed in the compromise petition voluntarily after understanding the contents thereof. So, considering all aspects we are of the opinion that as the dispute has been settled amicably between the parties, so there no need to proceed further.

In the circumstances, it appears that the compromise is legal, valid, voluntary and sufficient. Therefore, it may be acted upon. So, it is accepted.

Hence,

<u>ORDERED</u>

that the Title Suit be and the same is decreed in preliminary form on compromise as per terms of the compromise petition (Solenama Petition) which do form a part of the decree.

The parties do bear the respective costs.

The final decree will be drawn after payment of necessary court fees and stamp duty.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signature(s)/LTI of the Plaintiff(s). Signature/LTI of the Defendant(s)

Identified by me Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

<u>MAC case no. 53/33 of 2014</u>

Saraswati Ruidas & 3 Others - vs - Bajaj Allianz General Insurance Company Limited & Another

<u>Order no. 1 dated 05/08/2016</u> :

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with their learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition, submitted by the petitioners.

Xerox copy of Admit Card of petitioner no.4, Bijoy Ruidas, has been filed. Let it be kept with the record.

A perusal of the petition reveals that the petitioners have filed this claim case claiming compensation of Rs. 4,00,000/-. But, they settled their claim at Rs.2,40,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.2,40,000/-.

Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

On perusal of the Admit Card, it appears that petitioner no.4 is minor. However, the petitioners filed an amended petition. Let it be kept with the record.

Considering all aspects, the prayer for amendment is allowed. Amend the petition accordingly.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

<u>ordered</u>

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs.2,40,000/- against the O.P.-Insurance Company.

The O.P-2, Bajaj Allianz General Insurance Company Limited, is directed to make payment of the awarded sum of Rs. 2,40,000/- by issuing four A/c Payee Cheques of Rs. 60,000/- each in the name of the petitioner no. 1 to 4, named in the claim petition, within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

The mother-petitioner no. 1 will be at liberty to withdraw the cheque for the minor petitioner no. 4 on the undertaking that she will make deposit of the said amount in Bank or Post Office in Fixed Deposit Scheme, till the minor will attain the age of majority.

Judge, Permanent Lok Adalat, Burdwan.　　　Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners.　　　Signature of the O.P.

Identified by me　　　Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 53/33 of 2014

Manabendra Banerjee vs Bajaj Allianz General Insurance Company Limited

Order no. 1 dated 19/08/2016

Record is placed before this Daily Lok Adalat for settlement.

The claimant is present along with his learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioner/claimant. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition submitted by the petitioners.

The documents filed by the claimant be kept with the record.

A perusal of the petition reveals that the claimant has filed this claim case claiming compensation of Rs. 1,00,000/-. But, he settled the claim at Rs.75,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.75,000/-. Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

ordered

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioner does get an award of Rs.75,000/- against the O.P.-Insurance Company.

The O.P-2 Bajaj Allianz General Insurance Company Limited is directed to make payment of the awarded sum of Rs. 75,000/- by issuing one A/c Payee Cheques in the name of the petitioner, Manabendra Banerjee within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners. Signature of the O.P.

Identified by me Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 13/261 of 2011

Pallabi Chowdhury vs ICICI Lombard General Insurance Company Limited

Order no. 1 dated 19/08/2016

Record is placed before this Daily Lok Adalat for settlement.

The claimant is present along with his learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioner/claimant. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition submitted by the petitioners.

Perused the documents filed by the claimant. Let the same be kept with the record.

A perusal of the petition reveals that the claimant has filed this claim case claiming compensation of Rs. 1,00,000/-. But, she settled the claim at Rs.75,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.60,000/-. Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

ordered

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioner do get an award of Rs.60,000/- against the O.P.-Insurance Company.

The O.P-2 ICICI Lombard General Insurance Company Limited is directed to make payment of the awarded sum of Rs. 60,000/- by issuing one A/c Payee Cheques in the name of the petitioner, Pallabi Chowdhury within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners. Signature of the O.P.

Identified by me Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 50/289 of 2014

Sitaram Bandhapadhyay & & 2 Others vs Bajaj Allianz General Insurance Company Limited

Order no. 1 dated 19/08/2016

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with his learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioner/claimant. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition submitted by the petitioners.

Perused the documents filed by the claimant. Let the same be kept with the record.

A perusal of the petition reveals that the claimant has filed this claim case claiming compensation of Rs. 6,46,737/-. But, they settled the claim at Rs.4,10,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.4,10,000/-. Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

ordered

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs.4,10,000/- against the O.P.-Insurance Company.

The O.P-2 Bajaj Allianz General Insurance Company Limited is directed to make payment of the awarded sum of Rs. 4,10,000/- by issuing three separate A/c Payee Cheques of Rs. 1,10,000/- in the name of the petitioner no.1, Rs. 1,50,000/- each in the name of the petitioner nos. 2 and 3 as named in the claim petition, within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners. Signature of the O.P.

Identified by me Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 37/235 of 2014

Umadasi Bagdi & 4 Others vs HDFC ERGO General Insurance Company Limited

Order no. 1 dated 20/08/2016

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with the learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition submitted by the petitioners.

Perused the documents filed by the claimant. Let the same be kept with the record.

A perusal of the petition reveals that the claimant has filed this claim case claiming compensation of Rs. 3,00,000/-. But, they settled the claim at Rs. 2,65,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs. 2,65,000/-. Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

<u>ordered</u>

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs.2,65,000/- against the O.P.-Insurance Company.

The O.P-2 HDFC ERGO General Insurance Company Limited is directed to make payment of the awarded sum of Rs. 2,65,000/- by issuing one A/c Payee Cheques of Rs. 65,000/- in the name of the petitioner no.1 and four A/c payee cheques of Rs. 50,000/- each in the name of the petitioner nos. 2 and 5, as named in the claim petition, within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners. Signature of the O.P.

Identified by me Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

<u>MAC case no. 49/338 of 2016/2015</u>

Kalyani Soren & 3 Others - vs - ICICI Lombard General Insurance Company Limited & Another

<u>Order no. 1 dated 20/08/2016</u> :

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with their learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition, submitted by the petitioners.

Perused the documents, filed by the petitioners and same be kept with the record.

A perusal of the petition reveals that the petitioners have filed this claim case claiming compensation of Rs. 4,54,000/-. But, they settled their claim at Rs.3,70,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.3,70,000/-.

Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

<u>ordered</u>

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs. 3,70,000/- against the O.P.-Insurance Company.

The O.P-2, ICICI Lombard General Insurance Company Limited, is directed to make payment of the awarded sum of Rs. 3,70,000/- by issuing two separate A/c Payee Cheques of Rs. 1,00,000/- each in the name of the petitioner nos. 2 and 3 and two separate A/c payee cheques of Rs. 85,000/- each in the name of the petitioner nos. 1 and 4, as named in the claim petition, within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

The mother-petitioner no. 1 will be at liberty to withdraw the cheques for the minor petitioner nos. 2 and 3 on the undertaking that she will make deposit of the said amount in Bank or Post Office in Fixed Deposit Scheme, till the minors will attain the age of majority.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners. Signature of the O.P.

Identified by me Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 75/444 of 2014

Asha Debi & 2 Others vs Bharati Axa General Insurance Company Limited & Another

Order no. 1 dated 29/08/2016

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with their learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition submitted by the petitioners.

One document has been filed in regard to the age of the minor petitioner. Let it be kept with the record. Let the others documents, filed by the petitioners be also kept with the record.

A perusal of the petition reveals that the parties have filed this claim case claiming compensation of Rs. 4,90,000/-. But, they settled their claim at Rs.3,90,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.3,90,000/-. Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

<u>ordered</u>

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs.3,90,000/- against the O.P..

The O.P-2 Bharati Axa General Insurance Company Limited is directed to make payment of the awarded sum as mentioned above by issuing three separate A/c Payee Cheques in the name of the petitioners, named in the claim petition, in equal share i.e Rs. 1,30,000/- each within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law. The mother-petitioner will be at liberty to withdraw the cheque of the minor petitioner on the undertaking that she will make deposit of the said amount in any nationalised Bank or Post Office in Fixed Deposit Scheme, till the minor attains the age of majority.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners. Signature of the O.P.

Identified by me Identified by me.

Advocate. Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 326/2018

(1) Tanima Jash, (2) DeboJyoti Jash (Minor) and (3) Sulekha Jash
Vs
Bajaj Allianz General Insurance Company Limited & Another

Order no. 1 dated 19/09/2022

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with their learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition submitted by the petitioners.

Document have been filed in regard to the age of the minor petitioner including the Birth Certificate for minor DeboJyoti Jash. Let it be kept with the record. Let the others documents, filed by the petitioners be also kept with the record.

A perusal of the petition reveals that the parties have filed this claim case claiming compensation of Rs. 2,00,000/-. But, they settled their claim at Rs.1,00,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs.1,00,000/-. Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

ordered

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs. 1,00,000/- against the O.P.-Insurance Company.

The O.P-2 Bajaj Allianz General Insurance Company Limited is directed to make payment of the awarded sum as mentioned above by issuing two A/c Payee Cheques of Rs.35,000/- in the name of the petitioner nos. 1 namely Tanima Jash and 3 namely Sulekha Jash separate each and one A/c Payee Cheque of Rs. 30,000/- in the name of the petitioner no. 2 Debojyoti Jash, within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law. The mother-petitioner will be at liberty to withdraw the cheque of the minor petitioner on the undertaking that she will make deposit of the said amount of the minors separately in any nationalised Bank or Post Office in Fixed Deposit Scheme, till the minor attains the age of majority.

Judge, Permanent Lok Adalat, Burdwan. Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners. Signature of the O.P.

Identified by me   Identified by me.

Advocate.   Advocate.

Before the Permanent (Daily) Lok Adalat at Burdwan.

MAC case no. 47/308 of 2013

Shyamal Jash & 3 Others vs Royal Sundaram General Insurance Company Limited &Another

Order no. 1 dated 30/08/2016

Record is placed before this Daily Lok Adalat for settlement.

The claimants are present along with the learned advocate. Learned advocate for the O.P.-Insurance Co. is also present. One compromise petition is filed which is signed by the petitioners/claimants. Ld advocate for the O.P.-Insurance Co. has also no objection to the compromise and an endorsement is made to that effect by him on the compromise petition submitted by the petitioners.

Perused the documents filed by the claimant. Let the same be kept with the record.

A perusal of the petition reveals that the claimant has filed this claim case claiming compensation of Rs. 4,00,000/-. But, they settled the claim at Rs. 3,00,000/-. Ld. advocate for the O.P.-Insurance Co. also verbally submits that the Insurance Company has agreed to arrive at a compromise at Rs. 3,00,000/-. Ld. advocate for the O.P.-Insurance Company has filed a letter of authorisation which be kept with the record.

In the circumstances, we are of the opinion that an award may be passed on the compromise petition which seems to be legal and voluntary. The compromise petition is, therefore, accepted.

Hence,

<u>ordered</u>

that the MAC case be and the same is disposed of in terms of compromise petition which do form a part of the award.

The petitioners do get an award of Rs. 3,00,000/- against the O.P.-Insurance Company.

The O.P-2 Royal Sundaram General Insurance Company Limited is directed to make payment of the awarded sum of Rs. 3,00,000/- by issuing four A/c Payee Cheques of equal amount of Rs. 75,000/- each in the name of the petitioner no.1to 4, as named in the claim petition, within a month of this order failing which the petitioners will be at liberty to recover the awarded amount with an interest of 6% per annum by execution of this award from the Court of Law.

Judge, Permanent Lok Adalat, Burdwan.   Judge, Permanent Lok Adalat, Burdwan.

Signatures/LTI of the Petitioners.   Signature of the O.P.

Identified by me   Identified by me.

Advocate.   Advocate.