



2025:CGHC:11617



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HIGH COURT OF CHHATTISGARH, BILASPUR

NATIONAL LOK ADALAT

Judge - Lok Adalat : Hon'ble Mr. Justice Narendra Kumar Vyas

Member - Lok Adalat : Mr. Ashok Kumar Verma, Advocate

MAC No. 1639 of 2024

1 - Kritarth Jain S/o Naresh Jain Aged About 18 Years Minor Through Guardian/father- Shri Naresh Jain, R/o Nayapara, Bartan Line, Near Dilip Kirana, Police Station Golbazar, District Raipur (C.G.) (Driver Of The Offending Vehicle)

2 - Naresh Jain S/o Shri Dharamchand Jain Aged About 47 Years R/o Nayapara, Bartan Line, Near Dilip Kirana, Police Station Globazar, District Raipur (C.G.) (Owner Of The Offending Vehicle)

--- Appellants

versus

1 - Vikram Jaiswani S/o Late Shri Sachchanand Jaiswani Aged About 27 Years R/o Near Balaji, Anand Nagar, Raipur (C.G.) Through His Mother - Smt. Rajni Devi Jaiswani, Aged About 62 Years, W/o Late Shri Sachchanand Jaiswani, R/o Balaji Mandir, Anand Nagar, Raipur (C.G.) (Claimant)

2 - Bajaj Allianz General Insurance Company Limited Having Its Registered Office At Bajaj Allianz House, Airport Road, Yerwada (Wrongly Mentioned As Merwada), Pune - 411006, Police Station Shivmohan Vidhan Sabha Road, Pandri, Raipur (C.G.) (Insurer Of The Offending Vehicle)

--- Respondents

MAC No. 1723 of 2024

1 - Vikram Jeswani S/o Lt. Shri Sachhanand Jeswani Aged About 27 Years R/o- Anand Nagar Near Balaji Temple, Raipur, C.G. (Injured) Through Suit-Friend Smt. Rajni Devi Jeswani, Aged About- 62 Years, W/o Lt. Sachhanand Jeswani, R/o Near Balaji Temple Anand Nagar, Raipur, C.G. (Claimant)

---Appellant

Versus



1 - Kritarth Jain S/o Shri Naresh Jain Aged About 18 Years Through Suit Guardian Father Mr. Naresh Jain, R/o- Nayapara, Bartan Line, Near Dilip Kirana, P.S.- Golbazar, Raipur, C.G. (Driver) (Non- Applicant)

2 - Naresh Jain S/o - Shri Dharamchand Jain Aged About 47 Years R/o- Nayapara, Bartan Line, Near Dilip Kirana, P.S.- Golbazar, Raipur, C.G. (Owner) (Non- Applicant)

3 - Balaji Allianz General Insurance Company Ltd. Branch Office, Bajaj Allianz House, Airport Road, Merwada, Pune 411006, P.S.- Shivmohan, Vidhansabha Road, Pandri, Raipur, C.G. (Insurance Company) (Non-Applicant)

--- Respondents

For Appellant No. 2 in MAC No. : Mr. Suraj Patel, Advocate
1639 of 2024 & Respondent
No. 2 in MAC No. 1723 of 2024

For Appellant No. 1 in MAC No. : Mr. H.A.P.S. Bhatia, Advocate appeared
1723 of 2024 through VC

For Ins. Comp. : Mr. Sangeet Kumar Kushwaha, Advocate.

AWARD

(Passed on **08.03.2025**)

1. This case is being prosecuted by legal heir of mother of the respondent No. 1/Vikram Jeswani.
2. MAC No. 1639 of 2024 has been filed against order passed by Chief Motor Accident Claims Tribunal, Raipur by which the appellant has been directed to pay Rs. 35,61,778/- with interest at the rate of 7% from 23.06.2022 and MAC No. 1723 of 2024 has been filed for enhancement of the claim amount.
3. The contesting parties to these appeals have amicably settled/compromised the dispute between them which is subject matter of the appeal voluntarily and an agreement to this effect has been submitted by the parties.
4. We found that the terms and conditions of compromise/settlement arrived at between the contesting parties are just, proper and legal. There is no legal impediment to compromise and hence are acceptable.
5. During pendency of the appeal, the parties have already settled their dispute. It has also been informed that before filing of appeal Rs.



25,000/- has already been deposited and thereafter this Court vide order dated 22.08.2024 has directed to deposit 40% of the total amount of award which comes to Rs. 14,24,711, thus they have deposited Rs. 14,24,711/-.

6. Now, the appellant No. 1/ Kritarth Jain has already paid the entire remaining amount which comes to Rs. 28,00,000/- vide cheque bearing No. 062633 dated 08.03.2025.
7. The claimant has no objection to receive said amount of cheque.
8. A copy of the docket (compromise arrived at between the parties) be sent to the Claims Tribunal along with its record, if any, and a copy of the award passed today, forthwith.

Sd/-
(Narendra Kumar Vyas)
Judge- Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-
(Ashok Kumar Verma)
Member- Lok Adalat
High Court of Chhattisgarh
Bilaspur