

SUPREME COURT LOK ADALAT

CIVIL APPEAL NO(s). 1121 OF 2005

ORIENTAL INSURANCE CO. LTD.

Appellant (s)

VERSUS

JULIONA TOPPO & ANR.

Respondent(s)

(With office report )

Date: 25/04/2009 This Appeal was taken up today for settlement

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE P. SATHASIVAM

For Appellant(s) Mr. Kishore Rawat,Adv.

Mr. M.K. Dua,Adv.

For Respondent(s) Mr. Ajay Kumar,Adv.

Mr. Manoj Swarup,Adv.

This matter was taken up at the Supreme Court Lok Adalat  
with the consent and agreement through their counsel.

The following Order/Award is passed :-

Heard.

On 3.8.1998 in an accident the respondent's husband lost his  
life. A claim petition was filed before the concerned MACT which  
awarded Rs.2,17,936/-. In appeal the High Court enhanced the  
amount to Rs.7,45,936/-.

-2-

Considering the background facts and after hearing learned  
counsel for the parties we dispose of the appeal with the following  
direction:

In full and final settlement of the claim of the claimant a sum  
of Rs.10,00,000/- inclusive of interest shall be paid. Though learned  
counsel for the appellant-Insurance Company states that Rs.6,84,756/-  
has been deposited, learned counsel for the respondent No.1 states that  
amount is much less. According to him the amount is Rs.4,70,856/-.  
The concerned MACT shall verify the claim of the parties and the  
balance has to be deposited within a period of six weeks with the

concerned MACT. The MACT shall permit withdrawal of the amount by the claimant on such terms as it deems proper.

The appeal is disposed of.

( P. SATHASIVAM,J.)

( Dr. ARIJIT PASAYAT,J.)