

BEFORE THE SUPREME COURT LOK ADALAT
HELD AT NEW DELHI

(Organised by National Legal Services Authority and Supreme Court Legal Services Committee under Section 19 of the Legal Services Authorities Act, 1987 (Central Act))

Proceedings of the

Petition(s) for Special Leave to Appeal (Civil) No(s).9911-9912/2009

of Lok Adalat

(From the judgement and order dated 05/08/2008 in AFO No. 86/2007 & order dated 10.9.2008 in MCC No. 1046/2008 & CLMA No. 5891/2008 of The HIGH COURT OF UTTARANCHAL AT NAINITAL)

SAIRA BANO & ORS.

Petitioner(s)

VERSUS

ORIENTAL INSURANCE CO.LTD.& ORS.

Respondent(s)

(With office report)

Date: 16/01/2010

Present : Members of Lok Adalat

HON'BLE MR. JUSTICE DALVEER BHANDARI

HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mrs.Rachana Joshi Issar,Adv.

For Respondent(s) Mr. S.L. Gupta, Adv.
Mr. G.C. Tyagi, Adv.
Mr. P.K. Singh, Adv.
Mr. Anand V. Sharma, Adv.
For Mr. Goodwill Indeevar,Adv.

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Mr. Aftab Ali Khan ,Adv

A W A R D

The dispute between the parties having been referred for determination to the Lok Adalat and the parties having compromised/settled the case, the following award is passed in terms of the settlement :-

In these cases the trial court and the High Court both concurrently paid Rs.5,20,000/- after taking all facts and

circumstances in consideration. This amount has been paid.

During the course of hearing of these matters, learned counsel appearing for the appellants pointed out that medical bills of Rs.3,40,206/- have not been paid. The bills were produced before the concerned court.

In our view this amount ought to have been paid. Learned counsel for the Oriental Insurance Co. Ltd. undertakes to pay a further amount of Rs.3,40,206/- in full and final settlement of the claim of the petitioners.

Forty per cent of the amount would be paid by the New India Assurance Co. Ltd. and sixty percent by the Oriental Insurance Co. Ltd. The amount will be deposited in the concerned Motor Accident Claims Tribunal within a period of four weeks. The Tribunal shall disburse the amount so deposited to the claimants.

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In view of the above settlement between the parties, the matters may be placed before the Court for formal disposal.

The parties are informed that the court fee, if any, paid by any of them shall be refunded.

Petitioner(s)/Appellant(s)

Respondent(s)

.....J
(A.K.Patnaik)
Member, Lok Adlat

.....J
(Dalveer Bhandari)
Member, Lok Adalat

(Seal of the Committee)