



OIC vs Meenakshi Devi

FAO No. 281 of 2021

30.03.2022 Present: Dr. Lalit Kumar Sharma, Advocate for the applicant.
Mr. Dheeraj K. Vashisht, Advocate for respondent No. 1.

No notice has been issued to respondents No. 2 to 6.

On the request of learned Counsel for the parties, the appeal was taken up for final consideration today itself.

The appellant-Insurance Company is aggrieved by the award, which has been passed by learned Motor Accident Claims Tribunal, in MAC Petition No. 73 of 2016, titled as Meenakshi Devi and others vs. Kuldeep Kumar and others, dated 24.07.2018, vide which, the claim petition was partly allowed by awarding petitioner No. 1 therein, compensation to the tune of Rs.24,38,000/- alongwith interest @ 9% per annum from the date of filing of the petition, i.e. 22.07.2016, till payment.

Having carefully perused the award passed by learned Court below and testing it on the strength of judgments passed by Hon'ble Supreme Court in **Sarla Verma (Smt) and others** versus **Delhi Transport Corporation and another** (2009) 6 Supreme Court Cases 121; **National Insurance Company Limited** versus **Pranay Sethi and Others** (2017) 16 Supreme Court Cases 680; and **New India Assurance Company Limited** versus **Somwati and others and other connected matters** (2020) 9 Supreme Court Cases 644, this

Court is of the considered view that it will be in the interest of justice, in case, the parties agree that a lumpsum compensation to the tune of Rs.30.00 Lac is paid by the appellant-Insurance Company to the respondent-claimant, which amount shall be inclusive of everything.

Learned Counsel for the parties submit that the case be taken up on 04.04.2022, to enable them to have appropriate instructions.

(Ajay Mohan Goel)
Judge

March 30, 2022
(narender)