

BEFORE THE SUPREME COURT SPECIAL LOK ADALAT
PROCEEDING OF

Petition(s) for Special Leave to Appeal (C) No(s).6905-6906/2024

BRAKHBHAN @ BRAJBHAN

Petitioner(s)

VERSUS

NATIONAL INSURANCE CO. LTD. & ORS.

Respondent(s)

Date : 01-08-2024

PRESENT : HON'BLE MR. JUSTICE SURYA KANT
MR. C.U. SINGH, SENIOR ADVOCATE
MS. N. ANNAPOORANI, ADVOCATE-ON-RECORD

For Petitioner(s) Mr. Yadunandan Bansal, Adv.
Mr. Harisha S.R, AOR

For Respondent(s) Mr. Abhishek Kumar, Adv.
Mr. Nikhil Jain, AOR

A W A R D

1. Since the petitioner-claimant has unfortunately passed away, the Secretary, District Legal Services Authority, Datia will determine the legal representatives of the deceased.

2. Learned counsel for the parties, Officers of the Insurance Company as well as legal representatives of the petitioner, who appeared online, have been heard at length.

3. The motor accident claim has been amicably resolved in following terms:

(i) The legal representatives of the petitioner shall be paid the

compensation of Rs.16,88,000/- (Rupees sixteen lakhs eighty-eight thousand) as awarded by the Tribunal (and not the reduced amount by the High Court), along with interest at the rate of 8% per annum from the date of filing of the compensation claim, i.e., 22.02.2016.

(ii) In addition, the legal representatives of the petitioner shall be entitled to a lump-sum amount of Rs.7,00,000/- (Rupees seven lakhs), without any interest, which shall be paid to them within eight weeks.

4. We are informed that the compensation amount awarded by the Tribunal is lying in FDR at Gwalior which is to mature in the year 2026. The Motor Accidents Claims Tribunal, Gwalior, where the amount has been deposited or the bank where the amount has been transferred under the orders of the Tribunal, are directed to transfer that amount to the State Bank of India, Datia Branch, by prematurely breaking the FDR. The Manager, State Bank of India, Datia is directed to convert the same into a Savings Account, which shall be opened jointly in the names of all the legal representatives after receiving an information to this effect from the Secretary, District Legal Services Authority, Datia, and thereafter the principal amount as well as interest accrued thereupon shall be credited to the said account

5. The account shall not be permitted to be operated only by one legal representative. However, if the legal representatives of the deceased want to spend any amount from the savings account, the Bank Manager is directed to permit them only with prior approval and under supervision of Secretary, District Legal Services

Authority, Datia.

6. The special leave petitions are disposed of in terms of the settlement.

7. Court fee, if any, be refunded as per rules.

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[N. ANNAPOORANI, AOR]

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[C.U. SINGH, SR. ADV.]

.....J.
[SURYA KANT]