

Gopal Singh Vs. Rajkumar and ors

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Court : Rajasthan Jodhpur

Decided On : Nov-19-2013

Appellant : Gopal Singh

Respondent : Rajkumar and ors

Judgement :

1 IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR :

JUDGMENT

: S.B.CIVIL MISC.

APPEAL NO.1363/2010 Gopal Singh versus Rajkumar & ORS.Date of Judgment
:: 19.11.2013 PRESENT HON'BLE Mr.JUSTICE ARUN BHANSALI
Mr.S.K.Sankhla, for the appellant/s.

Mr.Jagdish Vyas, for the respondent No.3 alongwith Mr.D.S.Bhati, Senior
Divisional Manager, United India Insurance Company Limited.

---- BY THE COURT: By order dated 11.11.2013, this appeal was directed to be
placed before the 'Lok Adalat'.

It has been informed by the Registry that as the Bench of Lok Adalat constituted
under the National Legal Services Authority (Lok Adalats) Regulations, 2009 is not
available, this appeal has been placed before the Court under the category
'Matters Referred for Disposal in the spirit of Lok Adalat'.

This appeal is directed against the judgment and award dated 16.9.2010 passed by Motor Accident Claims Tribunal, Bali, District Pali, whereby for the injuries suffered by the claimant- Gopal Singh, the Tribunal has awarded a sum of Rs.2,16,450/- alongwith interest @ 6% p.a.as compensation.

2 Having heard learned counsel for the parties, it would be appropriate to dispose of the appeal in the spirit of Lok Adalat.

Having regard to the various facts and circumstances of the case, this Court is of the opinion that interest of justice would be served by directing payment of a further lump-sum of Rs.2,30,000/- as compensation by Respondent No.3 United India Insurance Company Limited.

The award passed by the Tribunal stands modified accordingly.

The enhanced amount would be paid to the claimants in terms of the award, however, the same shall be paid in cash and no part of the enhanced compensation shall be placed in Fixed Deposit.

The enhanced amount be paid within a period of one month.

In case, the amount is not paid within a period of one month from today, the claimant/s would be entitled to interest @ 12% per annum from the date of this judgment till actual payment.

The appeal stands disposed of with the consent of the parties and in the spirit of Lok Adalat.

(ARUN BHANSALI).J.

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