

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Civil Miscellaneous Appeal No. 3529/2017

URN: CMA / 5487U / 2017

1. Dale Singh S/o Shri Bhoop Singh, aged about 48 years, R/o Village Ramsinghpura, Tehsil Behror, District Alwar Raj.
2. Smt. Subhaanlata W/o Shri Dale Singh, aged about 46 years, R/o Village Ramsinghpura, Tehsil Behror, District Alwar Raj.

----Claimants/Appellants

Versus

1. Dayanand S/o Shri Banshilal, R/o Kasba Kotputli, District Jaipur Raj. (Driver of Vehicle Mahindra Tractor No. RJ-32-RA-4210)
2. Rajendra Kumar S/o Shri Suggaram, R/o 138, Rawatwali Dhani, Putli, Tehsil Kotputli, District Jaipur Raj. (Owner of Vehicle Mahindra Tractor No. RJ-32-RA-4210)
3. L. & T. General Insurance Company Limited Through Manager, Registered Office At L. & T. House, N. M. Marg, Bellard East, Mumbai (Mah). at present H.D.F.C. Ergo General Insurance Company Ltd. through its Regional Manager, Regional Office at 302, Upasana Tower, Jaipur (Raj.) (Insurance Company of Vehicle Mahindra Tractor No. RJ-32-RA-4210)

----No-Claimants/Respondents

4. Sonu S/o Shri Dale Singh, aged about 25 years, R/o Village Ramsinghpura, Tehsil Behror, District Alwar Raj.
5. Bhoop Singh S/o Shri Chanderbhan, aged about 71 years, R/o Village Ramsinghpura, Tehsil Behror, District Alwar Raj.

----Proforma/Claimants/Respondents

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For Appellant(s)	:	Ms. Manju Yadav, Adv. for Mr. Gaurav Gupta, Adv.
For Respondent(s)	:	Ms. Anjali Assat, Adv. for Mr. Virendra Agrawal, Adv.

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**HON'BLE MR. JUSTICE ASHUTOSH KUMAR****Order****03/07/2026**

1. The present civil miscellaneous appeal has been filed by the claimant-appellants against the impugned judgment and award dated 28.02.2017 passed by learned Motor Accident Claims Tribunal and Additional District Judge No.1, Behror, District Alwar (Raj.) (hereinafter referred to as the learned 'Tribunal') in Claim Petition No.354/2011, whereby, the claim petition has been partly allowed and an award of Rs.6,27,200/- along with the interest @ 7.5% per annum has been passed in favour of the claimant-appellants.

2. At the very outset, learned counsel for the claimant-appellants and the respondent No.3-Insurance Company submit that during the pendency of this appeal, the parties have amicably settled the dispute between them by way of compromise and memo of compromise dated 30.06.2026 duly signed by learned counsel for both the parties, has been placed on record, which is reproduced as under:-

"The humble claimants-appellants and respondent no. 3 have entered into the compromise on the terms that the insurance company is ready and willing to make further enhancement of the compensation lump sum amount to the tune of Rs. 4,00,000/- (Rs. Four Lacs only) in all be paid through Saving Bank Account meaning thereby the insurance company would make the payment of Rs. 4,00,000/- (Rs. Four Lacs only) in addition to the amount already paid by the insurance company, within two months from the date of passing the order on the basis of compromise, failing which it will carry interest @ 6% per annum thereafter till actual payment."

3. Learned counsel for the claimant-appellants and the respondent No.3-Insurance Company pray that the present appeal be disposed of, in the light of the memo of compromise dated 30.06.2026.

4. In view of the memo of compromise dated 30.06.2026, the present appeal stands disposed of. The impugned judgment and award dated 28.02.2017 passed by learned Motor Accident Claims Tribunal and Additional District Judge No.1, Behror, District Alwar (Raj.) in Claim Petition No.354/2011 is modified accordingly. It is made clear that if the respondent No.3-Insurance Company fails to make the payment of Rs.4,00,000/- (Rupees Four Lacs only) to the claimant-appellants within a period of two months from the date of receipt of certified copy of this order, the claimant-appellants shall be entitled to get the interest @ 6% per annum on the aforesaid amount.

5. The terms of memo of compromise dated 30.06.2026 shall be treated as an integral part of this order.

6. Any pending applications also stand disposed of.

**(ASHUTOSH KUMAR),J**