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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO No.1921 of 1999 (O&M)

Date of decision:02.03.2016

Munni Devi

... Appellant

versus

Prem Kumar

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Vinod Gupta, Advocate,
for the appellant.

Mr. Raj Kumar Bashamboo, Advocate,
for the respondent.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

CM No.4761-CII of 2016

Application is ordered. Affidavit of insurer is taken on record.

FAO No.1921 of 1999

1. Cost has been paid, as directed.
2. The Insurance Company sets out an information that the award which was appealed against was later set aside at the instance of the owner and driver before the Tribunal itself and a fresh award has been passed. The appeal itself cannot be prosecuted in view of

the fact that a fresh award made the insurer liable on the particulars of insurance furnished and the Insurance Company has satisfied the entire award by making the payment. The Tribunal has recorded on 09.01.2015 the fact that the entire award made has been deposited and the decree holder has had the petition dismissed as withdrawn. The appeal itself cannot be prosecuted further. I dismiss the appeal as incompetent. I direct the amount of ₹10,000/- ordered to be reimbursed to the insurer.

3. The petitioner is at liberty to file an application for review if any better particulars are forthcoming. Copy of the documents filed, namely, the judgment passed by the Tribunal and the full satisfaction taken as having been recorded will form part of the record.

4. The appeal is dismissed but with liberty as aforesaid.

5. The counsel for the appellant says that the money has been returned and the counsel for the respondent affirms the said fact.

(K.KANNAN)
JUDGE

02.03.2016
sanjeev