

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

FAO No. 1132 of 2013 (O&M)

Date of Decision: December 09, 2016.

Kahan Singh and another

....Appellants

Versus

Manjeet Singh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Dheeraj Narula, Advocate
for the appellants.

Ms.Rohini Bedi, Advocate
for Mr.Vishal Goel, Advocate
for respondent No.3.

Rajan Gupta, J (Oral)

This appeal is directed against the award passed by the tribunal whereby compensation to the tune of Rs. 3,30,000/- was granted to the appellants. An accident took place on 7.6.2011 between tractor trolley and rickshaw. Deceased-Sandeep, who was on the rickshaw, was injured and died due to the accident. FIR No. 88 dated 7.6.2011 was registered regarding the accident. Tribunal came to the conclusion that accident occurred due to rash and negligence driving of the offending vehicle i.e tractor bearing No. HR-24 N 4754. It thus proceeded to assess compensation and found that an amount of Rs.3,30,000/- was payable to the claimants-Kahan Singh and Paramjeet alongwith 7.5% interest from the date of filing of the petition till its realisation.

Aggrieved, present appeal has been filed to seek enhancement. Today a statement has been made before this court that

Insurance Company is ready to give lumpsum amount of Rs.1,70,000/- to the claimants. Two drafts bearing Nos. 487506 and 487518 issued by HDFC bank have been handed over to counsel for the appellants. Photocopy thereof placed on record as marks 'A' and 'B'. Counsel for the appellants clearly states that he has instructions from the appellants to accept this amount. In view of same, appeal be disposed of.

Under the circumstances, no further order is required to be passed as lumpsum amount of Rs.1,70,000/- has been given to the appellants which is acceptable to them. No cause of action survives in this appeal.

Disposed of.

Application for refering the matter to the Lok Adalat is hereby dismissed.

(Rajan Gupta)
Judge

December 09, 2016.

BB

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No