

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

**F.A.O No.8037 of 2015 (O&M)
Date of Decision : 12.02.2016**

Brij Pal and another

..... Appellants

Versus

Smt. Kusum and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Jigyasa Tanwar, Advocate
for the appellants.

Mr. Ashit Malik, Advocate
for respondents No.1 to 5.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This appeal has been filed against the award dated 01.09.2015 passed by the Tribunal awarding compensation of Rs.24,04,400/- to the claimants-respondents No.1 to 5.

On the last date, both the learned counsel had stated that there were possibility of an amicable settlement between the parties but requested for adjournment to enable them to produce their respective parties so that the settlement could be recorded in their presence. Today on instructions

from her client, learned counsel for the appellants states that the appellants shall make the payment of Rs.5 lacs to the claimants within one week i.e. on or before 19.02.2016 and give further payment of Rs.9.50 lacs on or before 11.03.2016.

Learned counsel for the claimants-respondents No.1 to 5 on instructions from their clients has stated that this settlement is acceptable but it should be clarified that in case this time schedule is not adhered to, this appeal would be deemed to be dismissed.

Learned counsel for the appellants has accepted this condition.

Learned counsel for the claimants-respondents No.1 to 5 has further stated that in this interregnum the children of the deceased have become major.

In the circumstances, it is directed that all the aforesaid amount shall be deposited in the Executing Court. Out of the total amount of compensation the first installment of Rs.5 lacs shall be deposited by the Executing Court in a fixed deposit in any nationalized bank for a period of 5 years in favour of widow-Kusum. Further out of the total amount of Rs.9.50 lacs an amount of Rs.2.5 lacs shall be deposited in a fixed deposit in any nationalized bank for a period of 5 years in favour of mother- Smt. Darshni. The remaining amount of Rs.7 lacs shall be disbursed to the two sons of the deceased in equal shares.

It has further been agreed between the parties that after the payment of full amount, the complainant will cooperate with the appellants to get the FIR quashed on the basis of today's compromise.

Consequently, the appeal stands disposed of in the above terms.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

February 12, 2016

ashish

**(AJAY TEWARI)
JUDGE**