

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

FAO No.894 of 2016 (O&M)
Decided on: 24.02.2016

Sanjay Kumar & anr.

.... Appellants

versus

The New India Assurance Co. Ltd. & ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Ram Darshan Yadav, Advocate
for the appellants.

Mr. Lalit Garg, Advocate
for the Insurance Company.

Ajay Tewari, J.(Oral)

This appeal has been filed against the award dated 04.12.2015 passed by Motor Accident Claims Tribunal, Gurgaon against the part of the award whereby recovery rights have been granted to respondent No.1.

The plea taken is that actually the appellants had requisite permit but could not place it on the record.

Today, Mr. Lalit Garg, Advocate for respondent No.1 has fairly accepted that requisite permit is there but states that by his irresponsibility, the appellant has caused prejudice to respondent No.1 inasmuch as respondent No.1 had to especially file an execution and then later on appoint an investigator to verify this fact.

Learned counsel for the appellant has fairly stated that this act of irresponsibility is there and he would not oppose the award of imposing costs.

Consequently, it is directed that in case the appellants deposit Rs.20,000/- within a period of one month, the execution would be deemed to have been satisfied. In case, the appellants do not

deposit the said costs, this appeal would be deemed to be dismissed.

It is further clarified that Rs.25,000/- deposited before the Registrar of this Court be refunded to the appellants.

Accordingly, the appeal stands disposed of.

February 24, 2016
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(AJAY TEWARI)
JUDGE