

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

1. FAO-3229-2012
Date of decision: 03.10.2017

United India Insurance Co. Ltd. Appellant

Versus

Harjinder Kaur and others Respondents

2. FAO-3647-2012

Harjinder Kaur and others Appellant

Versus

Gurwinder Singh and others Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr.Vipul Sharma, Advocate for
Mr. Paul S.Saini, Advocate
for the appellant in FAO-3229-2012 and
for respondent No.3 in FAO-3647-2012.

Mr.Ishan Cooner, Advocate
for respondents No.1 to 3 in FAO-3229-2012 and
for the appellants in FAO-3647-2012.

Avneesh Jhingan, J.

These two appeals have been filed against the award dated 13.03.2012 passed by Motor Accidents Claims Tribunal, Amritsar (hereinafter referred to as the 'Tribunal').

The Insurance Company has filed the appeal i.e. FAO No.3229 of 2012 stating that the documents produced regarding the income of the deceased were forged and Tribunal had not granted effective opportunity to appellant to lead the evidence and their application for additional evidence was also dismissed.

On the other hand, the other appeal i.e. FAO No.3647 of 2012 has been filed by the claimants for enhancement of compensation awarded by the Tribunal.

I have heard learned counsel for both the parties at length.

Learned counsel for both the parties agreed that the matter be remanded back to the Tribunal to decide afresh after considering the evidence produced by both the parties.

Learned counsel for the Insurance Company states that the amount awarded by the Tribunal has already been paid.

Both the appeals are remanded back to the Tribunal subject to the verification that the payment has already been made to the claimants. The Tribunal would decide the matter regarding awarding of compensation after providing three effective opportunities to both the parties.

Both the parties shall appear before the Tribunal on 14.11.2017.

Disposed of.

(AVNEESH JHINGAN)
JUDGE

03.10.2017
anju

Note:

1. Whether the order is speaking/reasoned: Yes/No

2. Whether the order is reportable : Yes/No