

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

CM-6308-09-CII-2017 in/and
FAO-1569-2016 (O&M)
Date of decision: 24.3.2017

Davinder Singh

...Appellant

Versus

Kirna Rani and others

...Respondents

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.Amit Gupta, Advocate for the applicant/appellant

Mr.Mohd. Yusuf, Advocate
for respondents No.1 to 3 & 5

SNEH PRASHAR, J.

Learned counsel for the applicant/ appellant submits that an amicable settlement has been taken place between the parties. Alongwith the application for disposal of the appeal as per the compromise, statement of Kirna Rani -respondent No.1 (claimant) dated 23.2.2017 made before learned Motor Accident Claims Tribunal, Patiala (for short 'MACT, Patiala) has been annexed as Annexure A-1 wherein she had stated that she has received total sum of Rs.4,50,000/- towards full and final settlement of the claim.

Learned counsel for respondents No.1 to 3 and 5 (claimants) admits the compromise arrived at between the parties and submits that the appeal be decided in terms of the compromise.

Considering the submissions made by learned counsel for

the parties and the statement got recorded by respondent No.1 -Kirna Rani before learned MACT, Patiala, the present application is application is accepted. FAO1569-2016 is taken up for today and is disposed of in terms of the compromise arrived at between the parties.

Alongwith the appeal, CM-5700-CII-2016 has been filed for condonation of delay of 41 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and the delay is condoned subject to all just exceptions.

Learned counsel for the appellant submits and is also conceded by counsel for respondents No.1 to 3 and 5 that the statutory amount of Rs.25,000/- deposited by the appellant at the time of filing the appeal be refunded to the appellant. Ordered accordingly.

Since, the main appeal has been disposed of, the civil miscellaneous application stands allowed.

24.3.2017
gsv

(SNEH PRASHAR)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No