

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

389 & 389-A

Date of Decision : 12.03.2018

1) FAO No.655 of 1996 (O&M)

Charanjit Appellant

Versus

M/s Balwant Singh Tejinder Singh and another Respondents

2) CR No.4537 of 1996 (O&M)

National Insurance Co. Ltd. Petitioner

Versus

Charanjit and another Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sandeep Suri, Advocate
for Mr. R.M. Suri, Advocate
for the petitioner (CR-4537-1996)
for the respondent No.2 (FAO-655-1996)

Mr. Sagar Aggarwal, Advocate
for Mr. Ashit Malik, Advocate
for the appellant (FAO-655-1996)
for the respondent No.1 (CR-4537-1996)

None for respondent No.2 (CR-4537-1996)

None for the respondent No.1 (FAO-655-1996)

AJAY TEWARI, J. (Oral)

The appeal has been filed by the claimant for enhancement of compensation against an award dated 30.11.1995.

At the very outset, counsel for the claimant has accepted that

after the award was passed the owner-respondent No.1 has filed an

application for setting aside the ex-parte award and that application was allowed and the award was recalled. In the circumstances, this appeal is not maintainable.

Consequently, the appeal is dismissed as such.

The revision has been filed against the order dated 03.09.1996 by the insurance company whereby the said award dated 30.11.1995 was set aside.

Counsel for the claimant further states that the revision must also be dismissed since the insurance company has not filed any appeal against the subsequent award.

Counsel for the insurance company has accepted this fact.

In the circumstances, the revision is also dismissed.

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

(**AJAY TEWARI**)
JUDGE

March 12, 2018
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No