

liability to the extent of 50% each has been fastened upon the driver, owner and insurer of Truck bearing No. PAT 5978 and Union of India in the Department of Telecom.

Counsel for the parties are *ad idem* that compensation assessed by the Tribunal already stand paid to the claimants. It is also agreed that as the Tribunal has not recorded reasons qua various issues raised there, the award impugned may be set aside with a direction to the Tribunal to pass a fresh award after hearing the parties, in accordance with law.

In view of the above, the appeals and cross objections are disposed of. The award impugned is set aside and the matter is remitted to the Tribunal for decision afresh after hearing the parties in accordance with law. The parties may be allowed to adduce additional evidence, if so permitted by the Tribunal. Meanwhile, compensation already paid to the claimants shall not be recovered.

The parties through their counsel are directed to appear before the Tribunal on 29.01.2018. The Tribunal shall put its best efforts to dispose of the matter expeditiously preferably within a period of three months from the parties putting in appearance.

(Rekha Mittal)
Judge

09.01.2018
mohan bimbra

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No