

CM No.14180-CII of 2018 in/and FAO No.3795 of 2013 (O&M)

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**Sr. No.117
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CM No.14180-CII of 2018 in/and
FAO No.3795 of 2013**

Date of Decision: 20.07.2018

ICICI Lombard General Insurance Company Limited

... Appellant

Versus

Amarjit Singh and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Rajbir Singh, Advocate,
for the appellant.

TEJINDER SINGH DHINDSA, J.(ORAL)

CM No.14180-CII of 2018

Prayer in the instant application is for withdrawal of the main appeal i.e. FAO No.3795 of 2013.

The application is supported by an affidavit of Mr. Aditya Sharma, Legal Manager, ICICI Lombard General Insurance Company Limited.

Since counsel for the applicant-appellant Insurance Company makes a statement at the Bar that the impugned award passed by the Motor Accident Claims Tribunal would be satisfied in toto, there would be no need to issue notice in the application to the respondent.

Prayer is allowed.

Application disposed of.

Main Case

The appellant, Insurance Company has filed the instant appeal assailing the award dated 04.05.2013 passed by the Motor accident Claims Tribunal, Patiala and in terms of which a compensation amount to the tune of Rs.5,55,000/- along with

interest @ 9% per annum from the date of filing of the claim petition till realization had been awarded in favour of the claimants.

At the stage of notice of motion in the appeal, the scope of the appeal had been confined only regarding quantum of compensation.

Mr. Rajbir Singh, learned counsel representing the appellant, Insurance Company submits that in view of the Constitutional Bench's Judgment rendered by the Apex Court in ***National Insurance Company Limited Vs. Pranay Sethi and others, 2017 (4) RCR (Civil) 1009***, he has instructions not to pursue the instant appeal and prays for withdrawal of the same.

Counsel further apprise the Court that no cross-objections had been filed by the claimants seeking enhancement of compensation. Undertaking is furnished by learned counsel that the impugned award would be satisfied in totality within a period of 06 weeks from today. Such statement and undertaking is duly recorded and accepted.

In view of the above, instant appeal is dismissed as not pressed.

20.07.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No