

213/A.

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

FAO-2520-2014

Date of decision:19.04.2018.

SUNIL

... Appellant

Versus

MAYANK & ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.R.S. Malik, Advocate, and
Ms. Karamjit Kaur, Advocate,
for the appellant.

Mr. Sanjeev Kodan, Advocate,
for respondent No.2-Insurance Company.

HARI PAL VERMA, J.(Oral)

Appellant-claimant has filed the present appeal seeking enhancement of compensation over and above the compensation awarded by the Motor Accident Claims Tribunal, Sonapat (for short, "the Tribunal") vide award dated 26.07.2013.

In a claim petition filed under Section 166 of the Motor Vehicles Act, 1988, the Tribunal has awarded compensation of ₹3,08,000/- on account of injuries so suffered by the claimant in the accident.

Not satisfied with the aforesaid amount of compensation, appellant has filed the present appeal for enhancement of compensation.

This Court vide order dated 14.12.2017 referred the matter to the Lok Adalat of this Court for settlement. Accordingly, the matter was

taken before the Lok Adalat on 15.02.2018 and the following order was

passed:-

“Appellant suffered injuries in a motor accident. The learned Tribunal awarded a compensation after holding that respondent Nos.1 and 2 are liable to pay the amount of compensation jointly and severally to the extent of 70% only.

The matter was discussed with the learned counsel for the appellant on 17.01.2018 and a proposal was drawn for enhancement of Rs.1,00,000/- over the above the amount already awarded.

Learned counsel for the Insurance Company made an offer to pay a sum of Rs.75,000/- over and above the amount already awarded, keeping in view the fact that the liability of the Insurance Company is only to the extent of 70%.

Learned counsel for the appellant has refused to accept the offer and stuck to his claim of Rs.1,00,000/- to which learned counsel for the Insurance Company did not agree.

In view of the above, no settlement is, thus, possible before the Lok Adalat. Returned to the High Court.”

After arguing for sometime, counsel for the parties fairly accept the proposal made before the Lok Adalat.

Accordingly, present appeal is disposed of with an increase of ₹75,000/- over and above the amount awarded by the Tribunal vide award dated 26.07.2013. It is made clear that this amount shall not carry any interest.

Learned counsel for the respondent No.2-Insurance Company undertakes to release the payment within two weeks by way of cheque/demand draft.

(HARI PAL VERMA)
JUDGE

19.04.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No