

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

FAO No.3443 of 2015 (O&M)

Date of Decision: 12.07.2018

Sukhwinder Singh and another

... Appellants

Versus

Amarprit Singh and another

... Respondents

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

Present:- Mr. K.S.Brar, Advocate for
Mr.I. S.Brar, Advocate,
for the appellants.

Mr. Jasraj Singh, Advocate,
for respondent No.1.

TEJINDER SINGH DHINDSA, J.(ORAL)

The driver/owners of the offending vehicle (tractor) have filed the instant appeal assailing the award dated 06.12.2014 rendered by the Motor Accident Claims Tribunal, Hoshiarpur and in terms of which a claim petition filed under Section 166 of the Motor Vehicles Act has been allowed and compensation amount of Rs.6,74,068/- has been awarded along with interest @9% per annum from the date of filing of the claim petition till realization.

Briefly, it may be noticed that the claim petition had been filed on account of death of wife of the claimant, namely, Sandeep Kaur in an accident that took place on 08.03.2011 involving a tractor trolley make Arjun Mahindra, registration PB-07-U-8940 of which the appellants herein were the owners. Undisputedly, the offending tractor/vehicle was not insured and as

such the liability was fastened upon the appellants herein.

During the course of hearing today, counsel for the parties are ad idem that during the course of execution proceedings, a compromise has been arrived at between the parties and in terms thereof the entire award amount has already been made over to the claimant/respondent No.1.

Mr. Jasraj Singh, Advocate representing the claimant/respondent No.1 concedes to the factum of the settlement and the award amount having already been received.

In the light of such uncontroverted factual premise, counsel representing the appellant(s)/driver and owners of the vehicle does not press the appeal.

Instant appeal, accordingly, is disposed of as not pressed.

It is observed that in the eventuality of any application being preferred by the claimant/respondent No.1 herein, the statutory amount of Rs.25,000/- that had been deposited by the appellant(s) at the stage of filing of the appeal would be disbursed to him.

Disposed of.

12.07.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No