

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

1. RSA No.3412 of 2017 (O&M)
Date of decision : 03.08.2018

Gurcharan Singh and others

...Appellants

Versus

Shinder Pal Kaur and others

...Respondents

2. RSA No.3413 of 2017 (O&M)
Date of decision : 03.08.2018

Gurcharan Singh and others

...Appellants

Versus

Shinder Pal Kaur and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Dhirinder Chopra, Advocate for the appellants.

ANIL KSHETARPAL, J. (ORAL)

CM No.8217-C of 2017 in RSA No.3412 of 2017

For the reasons stated in the application, which is duly supported by an affidavit, delay of 100 days in refiling the present appeal is condoned.

Application is allowed.

CM No.8216-C of 2017 in RSA No.3412 of 2017

For the reasons stated in the application, which is duly supported by an affidavit, delay of 62 days in filing the present appeal is condoned.

Application is allowed.

Main cases

This judgment shall dispose of RSA Nos.3412 and 3413 of 2017.

The defendants-appellants are in the Regular Second Appeal against the concurrent findings of fact arrived at by both the Courts below while decreeing the suit filed by the plaintiffs for recovery of damages/compensation on account of death of late Sh. Jasbir Singh at the hands of the defendants-appellants.

Both the Courts below have appreciated the evidence available on the file and decreed the suit filed by the plaintiffs.

The trial Court assessed the damages at ₹4,03,000/-. However, the First Appellate Court while disposing of two appeals, one filed by the plaintiffs and second filed by the defendants, have enhanced the compensation payable at ₹6,00,000/-. It is not in dispute that defendants-appellants have been convicted for having committed murder of late Sh. Jasbir Singh, a young man of 22 years of age, who has left behind widow and two minor children and mother.

Although, learned counsel for the appellants made a sincere attempt to persuade this Court to take a different view, however, keeping in view that findings of facts have been arrived at which is neither shown to be

perverse nor result of mis-reading or non-reading of the substantive evidence, this Court does not find any good ground to interfere with the concurrent findings of fact arrived at by both the Courts below.

Both the Regular Second Appeals are dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the abovesaid judgment.

03.08.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No