

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

**Cross-Objection No. 16-CII-2002 &
Cross-Objection No. 30-CII-2002 in
FAO No. 39 of 2001 (O&M)**

Date of Decision: 01.04.2019

Sukhwinder Singh and another

..... Appellants

VERSUS

Ram Pal Singh and others

..... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None for the appellants.

Mr. V. Ramswaroop, Advocate
for respondent No.6.

JAISHREE THAKUR, J. (ORAL)

1. This is an appeal that has been filed by Sukhwinder Singh and Ranjit Singh sons of Bhan Singh seeking to challenge an award dated 21.9.2000 passed by the Motor Accident Claims Tribunal, Fatehgarh Sahib.

2. An accident took place which resulted in a claim petition being filed before the Tribunal under Section 166 of the Motor Vehicle Act. An award was passed after issues had been framed and evidence adduced. As per the award, the claim petition filed by Harbhajan Kaur and another was partly allowed for a compensation of ₹ 2,50,000/- to be paid by respondents No.1 & 2 jointly and severally along with interest and claim petition of Ram Pal Singh was also partly allowed and he was allowed compensation of ₹ 60,000/- with 12% from the date of application till the date of award. Both

the respondents, namely, Sukhwinder Singh and Ranjit Singh (owner and driver of the offending vehicle), filed the instant appeal and Cross-objections were also filed by Harbhajan Kaur and Ram Pal Singh seeking enhancement of the compensation.

3. During the pendency of the proceedings in the High Court, it was brought to the notice of this Court that a compromise had been effected between the parties in the Execution Application No. 7 of 28.11.2000. In the said execution petition, a statement of the claimants was recorded on 26.02.2003 before the District Judge, Fatehgarh Sahib stating that the matter had been compromised against Sukhwinder Singh and Ranjit Singh sons of Bhan Singh. In terms of the said statement, the execution application was dismissed by an order dated 22.02.2003.

4. No one has put in appearance on behalf of the appellants, whereas appearance has been caused on behalf of the Cross-Objector respondent No.1 to 3 as well as on behalf of the Insurance Company.

5. In view of the fact that the Execution Application stands satisfied and dismissed by an order dated 22.02.2003, it appears that no further orders are called for in the instant appeal. Consequently, the same stands dismissed as the claim appears to have been satisfied. However, in case the appellants put in an appearance, and if any grievance is surviving, they would be at liberty to revive the instant appeal. Cross-objections are also disposed of accordingly.

01.04.2019

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)

JUDGE

Yes

No