

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

Date of decision: 23.5.2019

1. **FAO No. 6688 of 2016(O&M)**

Suman and othersAppellants

VERSUS

Raj Pal and othersRespondents

Present: Ms. Sona Kaur, Advocate for
Mr. Naresh Kumar, Advocate for the appellants.

Mr. D.P. Gupta, Advocate for insurance company.

2. **FAO No. 6973 of 2016(O&M)**

Jiwan Jyoti and othersAppellants

VERSUS

Raj Pal and othersRespondents

Present: Ms. Sona Kaur, Advocate for
Mr. Naresh Kumar, Advocate for the appellants.

Mr. D.P. Gupta, Advocate for insurance company.

3. **FAO No. 53 of 2017(O&M)**

United India Insurance Co. Ltd.Appellant

VERSUS

Smt. Suman and othersRespondents

Present: Mr. D.P. Gupta, Advocate for appellant-insurance company.

Ms. Sona Kaur, Advocate for
Mr. Naresh Kumar, Advocate for respondents No.1 to 5.

Mr. Vikas Rohal, Advocate for respondent No.6.

4.

FAO No. 55 of 2017(O&M)

United India Insurance Co. Ltd.

.....Appellant

VERSUS

Smt. Jiwan Jyoti and others

.....Respondents

Present: Mr. D.P. Gupta, Advocate for appellant-insurance company.

Ms. Sona Kaur, Advocate for

Mr. Naresh Kumar, Advocate for respondents No.1 to 5.

Mr. Vikas Rohal, Advocate for respondent No.6.

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

REKHA MITTAL, J.

This order will dispose of FAO Nos.6688 & 6973 of 2016, 53 and 55 of 2017 as these have emerged out of the same award dated 12.07.2016 passed by the Motor Accidents Claims Tribunal, Panipat (in short 'the Tribunal') whereby compensation has been assessed on account of death of Sandeep Kumar and Satish Kumar in a motor vehicular accident that took place on 22.02.2014.

Counsel for the parties are ad idem that since in the claim application, the owner/insured of offending vehicle i.e. Car bearing No.HR-08-N/1321 was given up on account of he being reported to have passed away, the impugned awards may be set aside and the matter be remitted to the Tribunal for decision of the cases afresh after permitting the

claimants to implead the legal representatives of deceased Raj Kumar, owner/insured of the offending vehicle.

In view of the above, the appeals are disposed of. The impugned award is set aside. The matter is remitted to the Tribunal for decision of the applications for compensation afresh after impleadment of legal representatives of deceased-Raj Kumar, owner of the offending vehicle.

The parties through their counsel are directed to appear before the Tribunal on 08.07.2019. The Tribunal shall put its best efforts to decide the cases within a period of 6 months of the parties putting in appearance. As the appeals have been decided in view of concession recorded by counsel for the parties, applications for condonation of delay are of academic relevance only.

MAY 23, 2019
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no