

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

**CM No.6854-CII of 2019
CM No.13682-83-CII of 2017
in/and FAO No.4576 of 2017**

Date of decision: 27.03.2019

Smt. Seema Devi and others

.....Petitioners

Versus

Suni Lal and others

....Respondents

CORAM: HON'BLE MR. JUSTICE B.S. WALIA

Present: Mr. Vineet Chaudhary, Advocate for the appellants.

Mr. Punit Jain, Advocate for respondent No.3-Insurance Company.

Mr. Himanshu Chhabra, Advocate for Mr. M.B. Jain, Advocate for respondent No.6.

B.S. WALIA, J (ORAL)

CM No.6854-CII of 2019

Application has been moved under Section 151 CPC by respondent No.3-Insurance Company for preponing the date of hearing and disposing of the appeal in terms of compromise between the claimant-appellants and applicant-respondent No.3-Insurance Company. The application mentions that in addition to the awarded amount of ₹31,59,000/- along with interest, the respondent-Insurance Company has agreed to pay an additional sum of ₹50,000/- to the appellants inclusive of interest in full and final settlement of the claim of the appellants. The aforementioned settlement is with the mutual consent of the parties.

For the reasons as are mentioned in the application, the same is allowed.

The date of hearing is preponed and the case is taken up for hearing today.

CM No.13682-83-CII of 2017

In view of compromise having been entered into between the parties, as also for the reasons as are mentioned in the applications for condonation of delay, the same are allowed and the delay of 130 days in filing and 852 days in refiling the appeal is condoned subject to all just exceptions.

FAO No.4576 of 2017

1. In view of compromise between the parties as referred to in the application, Award dated 26.02.2014 passed by the learned MACT, Kaithal is modified to the extent that apart from sum of ₹31,59,000/- along with interest, the appellant are held entitled to additional amount of ₹50,000/- inclusive of interest to be paid by respondent No.3-Insurance Company to the appellants within a period of four weeks from today.

2. Accordingly, appeal is disposed off in terms of the compromise as referred to in the application. Award dated 26.2.2014 passed by the learned MACT, Kaithal is modified to the extent as noted above.

March 27, 2019
ps

(B.S. WALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No