

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

**CM Nos.3556 & 57-CII of 2018 in/and
FAO No.1038 of 2018(O&M)
Date of decision: 26.03.2019**

Santosh Kumar

.....Appellant

Versus

Buta Singh and others

....Respondents

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

Present: Mr.Vikram Goswami, Advocate for the appellant.

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

B.S. WALIA, J (ORAL)

CM Nos.3556 & 3557-CII of 2018

For the reasons as are mentioned in the application, delay of 182 days in late filing and 340 days in refiling the appeal is condoned.

CMs stand disposed of.

CM No.25996-CII of 2018

Application for leading additional evidence is allowed and the disability certificate (Annexure A-1) and slip (Annexure A-2) are taken on record.

FAO No.1038 of 2018

1. Pursuant to negotiations between the parties through their counsel after order of this Court dated 28.2.2019, learned counsel for respondent No.3-Insurance Company, on instructions from the competent authority of the Insurance

Company, states that the Insurance Company is agreeable to make payment of ₹70,000/- in lump sum without interest over and above the amount which was awarded by the learned MACT, Chandigarh in the light of disability certificate, now produced for the first time before this Court.

2. The same is acceptable to learned counsel appearing on behalf of the appellant who states that the appeal may be disposed of in terms of the offer made by learned counsel for respondent No.3-Insurance Company.

3. In view of the statement of counsel for the parties, the appeal is allowed by enhancing the compensation payable to the appellant from ₹1,10,000/- to ₹1,80,000/- with the additional payment as enhanced in terms of the offer to be made within a period of 30 days from today failing which the same would carry interest @ 9% per annum with effect from the date of claim petition till date of realisation.

4. Accordingly, appeal is allowed. Award dated 1.12.2015 passed by the learned MACT, Chandigarh is modified to the extent as noted above.

March 26, 2019
ps

(B.S. WALIA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No