IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

FAO No.60 of 2018

Date of Decision: December 17, 2020

Sunil Bahadur ...Appellant.

Versus

Shri Ram Sharma
& others ..Respondents.

Coram:

The Hon'ble Mr. Justice Vivek Singh Thakur, Judge.

Whether approved for reporting?[1]

For the Appellant: Mr.Sanjay Bhardwaj, Advocate.

For the Respondents: Mr.Mukesh Sharma, Advocate, for respondents No.1 and 2.

Mr.Chandan Goel, Advocate, for respondent No.3.

Vivek Singh Thakur, J (oral)

This appeal has been preferred by the appellant-claimant for enhancement of compensation awarded by Motor Accident Claims Tribunal-III Solan, in Claim MAC Petition No.44 ADJ-II/2 of 2015 (Regd. No.118/2015), titled as *Sunil Bahadur vs. Shri Ram Sharma & others,* vide award dated 05.09.2017.

2. Today, learned counsel for the contesting parties i.e. Mr.Sanjay Bhardwaj, Advocate, representing the appellant-claimant and Mr.Chandan Goel, Advocate, representing respondent No.3-Reliance General Insurance Company Limited, have communicated that matter has been amicably settled. Their statements have been recorded separately.

[1] Whether reporters of the local papers may be allowed to see the judgment?

3. Mr.Chandan Goel, Advocate, in his statement has stated that he is representing respondent No.3-Reliance General Insurance Company Limited and during pendency of this appeal, filed for enhancement of compensation, issue of enhancement has been deliberated and considered between learned counsel for the appellant-claimant and the competent officer of respondent No.3-Reliance General Insurance Company Limited and an amicable settlement has arrived at between the contesting parties and respondent No.3-Reliance General Insurance Company Limited has agreed to pay a sum of ₹2,75,000/- as lump sum enhancement in the present appeal to the appellant-claimant by depositing the same in the Registry of this Court on or before 31.01.2021 and appellant-claimant has agreed to accept the same as a full and final payment of enhanced compensation over and above the compensation already awarded by the Motor Accident Claims Tribunal-III, Solan, H.P. in Claim Petition preferred by the appellant-claimant. He has further stated that he has communicated the settlement to the Court in terms of compromise strictly in terms of instructions imparted to him by Mr.Surya Deep Thakur, Legal Manager of respondent No.3-Reliance General Insurance Company Limited.

4. Mr.Sanjay Bhardwaj, Advocate, in his statement has stated that he is representing appellant-claimant and he has been duly authorized to compromise the matter and make statement on behalf of the appellant-claimant and he had negotiated the issue of enhancement with respondent No.3-

Reliance General Insurance Company Limited, under instructions of appellant-claimant and he has endorsed the statement of Mr.Chandan Goel, Advocate, representing respondent No.3-Reliance General Insurance Company Limited, recorded in his presence, to be true and correct. He, on behalf of appellant-claimant, has accepted the sum of ₹2,75,000/- over and above the compensation awarded by the MACT-III, Solan, H.P. as a full and final settlement by qualifying that thereafter appellant-claimant would have no claim for further enhancement. He has further stated that he is deposing strictly in terms of instructions imparted to him by the appellant-claimant with prayer to dispose of the appeal in terms of amicable settlement.

5. In view of above, present appeal is disposed of as compromised, in terms of settlement arrived at between the parties and respondent No.3-Reliance General Insurance Company Limited is directed to deposit a sum of ₹2,75,000/-, in addition to the compensation already awarded, on or before 31.01.2021 in the Registry of this Court, failing which respondent No.3 shall also be liable to pay simple interest thereon @ 7.5 % per annum w.e.f. 31.01.2021 till payment of entire amount alongwith interest.

Pending application(s), if any, also stand disposed of.

(Vivek Singh Thakur),
Judge.

December 17, 2020
(Purohit)