

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CM-8301-CII-2020 in/and
FAO-1798-2009
Date of decision: 09.09.2020

Smt. Bimal Kaur urf Bimla Rani urf Bimaljit Kaur and others
.....Appellants

versus

**Commissioner Workman Compensation and Assistant Labour
Commissioner, Patiala and others**
....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Surjit Singh Chauhan, Advocate
for the applicants-appellants and
Mr. Paul S. Saini, Advocate
for applicant-respondent No.3.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of the restrictions due to outbreak of pandemic COVID-19.

Appellants-Smt. Bimal Kaur urf Bimla Rani urf Bimaljit Kaur and three others, have jointly filed the present appeal *inter alia* with a prayer that the order dated 28.07.2008, passed by the Commissioner and Assistant Labour Commissioner, Patiala, be modified and enhanced compensation may be allowed to the appellants by calculating the same at a monthly salary of Rs.7,000/- drawn by the deceased.

Records of the case show that the present FAO was admitted on 09.07.2010.

Today, a joint application i.e. CM-8301-CII-2020, has been filed under Order XXIII Rule 3 read with Section 151 CPC, for disposal of the present appeal on the basis of amicable mutual settlement between the parties. In the application, it has been *inter alia* pleaded that the parties have

amicably settled the matter and have arrived at mutual consensus that the claimants/appellants would be satisfied if the compensation is enhanced by Rs.75,000/- under all the heads of compensation, towards full and final settlement of the claim in the present appeal. This shall be over and above the amount already awarded by the learned Commissioner. It is further agreed that the said amount of Rs.75,000/- is to be paid within four weeks from the receipt of certified copy of the disposal order of the present appeal.

Heard learned counsel for both the parties.

In view of the submissions made above and for the reasons mentioned in the application, the same is allowed and the main appeal stands disposed of with a direction that both the parties shall abide by the mutual settlement arrived at between them as noticed and mentioned in the joint application.

Learned counsel for the appellants submits that he has instructions from the appellants to submit that the aforementioned additional amount of Rs.75,000/- be deposited in the account of appellant No.1. He shall furnish the details of the bank account of appellant No.1 to counsel for respondent No.3 as well as respondent No.3 directly, so as to ensure that compliance of the settlement is made.

Accordingly, the present appeal is disposed of.

(GIRISH AGNIHOTRI)
JUDGE

09.09.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No