

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(117-A)

CM-9939-CII-2020 in/& FAO-4271-2012

Date of Decision: November 19, 2020

Sheela Devi and another

.. Appellants

Versus

Ram Pal and others

.. Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Pankaj Bali, Advocate, for the non-applicants/appellants.

Mr. Rajbir Singh, Advocate, for applicant-respondent No.3.

HARSIMRAN SINGH SETHI, J.(ORAL)

CM-9939-CII-2020

Present application has been filed for preponing and disposing of the main appeal i.e. FAO-4271 of 2012 in view of the compromise, which has been entered between the parties i.e. the Insurance Company and the claimants/appellants.

Learned counsel for the applicant/respondent No.3-Insurance Company submits that the parties have settled their dispute in an oral out of Court settlement with their free will and without any coercion and, therefore, the main appeal be disposed of in view of the said oral compromise.

Notice of the application to the counsel opposite.

Mr. Pankaj Bali, Advocate, who appears through video conference, accepts notice on behalf of the non-applicants/appellants and does not dispute the averments made on behalf of the applicant/respondent No. 3-Insurance Company.

In view the above, the application is allowed and hearing of the main appeal i.e. FAO No. 4271 of 2012 is preponed to today.

FAO-4271-2012

In the present case, the Motor Accident Claims Tribunal, Karnal, allowed a compensation of Rs. 3,59,800/- in favour of the appellants/claimants. Feeling aggrieved by the said compensation, the present appeal was filed.

During the pendency of the present appeal, this Court has been informed that the parties have already settled their dispute in an out of Court oral settlement, according to which, apart from the amount awarded by the Tribunal i.e. Rs. 3,59,800/-, another consolidated sum of Rs.5,45,000/- will be released in favour of the claimants. Learned counsels appearing on behalf of the respective parties confirm the said oral agreement and jointly pray that the present appeal be also disposed of in terms of the oral settlement recorded above.

Keeping in view the above, the present appeal is disposed of in terms of the oral agreement noticed above, according to which, the appellants/claimants will be paid another sum of Rs.5,45,000/- i.e. over and above the amount of Rs. 3,59,800/- awarded by the Motor Accident Claims Tribunal, Karnal, within a period of 7 days from the date of disposal of the main appeal as according to learned counsel for respondent No.3, two Demand Drafts of the said amount have already been prepared in favour of the appellants/claimants.

(HARSIMRAN SINGH SETHI)
JUDGE

November 19, 2020
harsha

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