

112(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-9123-CII of 2020 in/and
FAO No.963 of 2012

Date of Decision : 14.10.2020

Ankit

...Appellant

Versus

Sunil and others

...Respondents

(Through video conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Rajbir Singh, Advocate and
Mr. Sanjeev Goyal, Advocate for the applicant-respondent
No.3/Insurance Company.

Mr. Ashok Kumar Sharma (Bhana), Advocate
for the non-applicant/appellant.

Harsimran Singh Sethi, J. (Oral)

CM-9123-CII-2020

Present application has been filed for disposing of the present appeal i.e. FAO No.963 of 2012 in terms of the oral compromise, which has been effected between the appellant and respondent No.3-Insurance Company.

Learned counsel for the applicant/respondent No.3-Insurance Company submits that the parties to the litigation have already compromised their dispute and, therefore, the present appeal may kindly be disposed of in terms of the oral compromise.

Notice of the application to the counsel opposite.

Mr. Ashok Kumar Sharma (Bhana), Advocate, who has joined the proceedings through video conference, accepts notice on behalf of the non-applicant/appellant.

Learned counsel appearing on behalf of the non-applicant/appellant does not dispute that the parties have already reached an out of Court settlement with regard to their dispute, which has been raised in the present appeal. He does not oppose the prayer of the applicant/respondent No.3-Insurance Company for disposing of the present appeal in terms of said oral compromise by preponing the date of hearing of the main appeal i.e. FAO No.963 of 2012.

Keeping in view the request of learned counsel for the parties, the application is allowed and hearing of the main FAO No.963 of 2012 is preponed to today.

FAO No.963 of 2012

Learned counsel for the appellants argues that the Motor Accident Claims Tribunal, Rohtak, allowed a compensation of Rs.2,05,000/- in favour of the appellant, against which the present appeal was filed, as according to the appellant, the said compensation was not adequate.

Learned counsel for respondent No.3-Insurance Company submits that during the pendency of the present appeal, the parties have reached an out of Court of settlement and as per the said oral agreement, the appellants will be paid a consolidated amount of another Rs.4,50,000/- (inadvertently mentioned as Rs.4,60,000/- in the application) over and above the compensation already awarded by the Motor Accident Claims Tribunal, Rohtak. According to the counsel for respondent No.3-Insurance

Company, the said amount will be released in favour of the appellant within a period of 07 days from the date of disposal of the main appeal keeping in view the oral compromise.

Learned counsel for the appellants does not dispute the said oral compromise and states that keeping in view the said compromise, the appellant does not press the present appeal any further.

Keeping in view the above, the parties are directed to execute their oral compromise, according to which, the appellants will be paid a consolidated sum of Rs.4,50,000/- over and above the compensation already awarded by the Tribunal, within a period of 07 days from today.

The present appeal is being disposed of as not pressed, keeping in view the facts and circumstances recorded above.

October 14, 2020
aarti/naresh k.

(HARSIMRAN SINGH SETHI)
JUDGE

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