

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

FAO-2748-2016 (O&M)

Date of Decision:30.01.2020

Vivek Bansal

....Appellant

Versus

Ashish Kumar and others

...Respondents

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Raman Chawla, Advocate for the appellant.
None for the respondents.

MAHABIR SINGH SINDHU, J.

The present appeal has been filed under Section 173 of the Motor Vehicles Act, 1988, (for short 'the Act'), by the appellant-driver against the impugned award dated 31.08.2015, whereby the claim petition of respondent No.1 was partly allowed and a sum of Rs. 1,00,000/- alongwith interest @ 9 % per annum was awarded, but the same is order to be recovered from the appellant-driver as well as owner jointly as well as severally.

At the very outset, it has been pointed out by learned counsel for the appellant that the matter has been amicably settled between the parties and no grievance is left against each other.

Order dated 20.04.2018, passed by this Court, reveals that respondents have already been served, but no one is appearing on their behalf to controvert the factum of compromise.

In view of the settlement, learned counsel for the appellant does not wish to press the present appeal, but made a prayer to refund the amount of Rs.25000/- deposited with the Registry of this Court at the time of filing the appeal.

Since the appeal is being withdrawn without any contest, therefore, this Court deems it appropriate to accept the prayer of the appellant for refund of the deposit made by him with the Registry of this Court.

Consequently, the appeal is dismissed as withdrawn with a direction to the Registry to take further necessary action in the matter for refund of an amount of Rs.25000/- to the appellant, after proper verification.

[MAHABIR SINGH SINDHU]
JUDGE

January 30, 2020

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Whether speaking/reasoned	yes/no
Whether reportable?	yes/no