

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

**CM-9040-CII of 2020 and
CM-4365-CII of 2020 in/and
FAO No. 5209 of 2016**

Santer @ Santer Devi

...Appellant

Vs

Naresh Kumar and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ankur Gupta, Advocate,
for the applicant-respondent No.2.

Mr. V.P.Sangwan, Advocate,
for the appellant.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

CM-9040-CII of 2020

This is an application for preponing the main case, which is already pending for 25.01.2021.

For the reasons stated in the application, the same is allowed and main case is taken up on Board for hearing today itself.

CM-3907-CII of 2020

Prayer in this application is for impleadment of legal heirs of deceased-appellant as she died during pendency of the appeal.

The same is allowed, as prayed for, subject to all just exceptions.

Amended memo of parties is taken on record.

CM-4365-CII-2020

This is an application for disposing of the main case on the basis of amicable settlement arrived between the appellant and insurance company. It has been averred in the application that the matter has been

would stand satisfied if the compensation is enhanced to the tune of Rs.2.5 lakhs under all heads of compensation towards full and final settlement of claim, including interest component, over and above the amount awarded by the Tribunal. The said proposal of the claimant-appellant has been accepted by respondent No. 2-insurance company. Keeping in view the above, the application is allowed.

Main case

As per both the counsels, a mutual settlement has been arrived at. Per compromise, respondent No. 2-insurance company will pay Rs.2.5 lakhs to the claimant-appellant under all the heads of compensation, including interest component, towards full and final settlement of claim over and above the amount already awarded by the Tribunal. Learned counsel for respondent No.2-Insurance Company states that he will hand over the cheque amounting to Rs.2.5 lakhs to learned counsel for the appellant.

In the premise, the appeal stands disposed of. The parties shall remain bound by the terms of the compromise which shall be treated as part and parcel of the Award. Cheques will be handed over within 30 days from today failing which, the amount payable shall invite a penal interest @ 15% per annum from the date of passing of the instant order till the actual date of payment. The appellant is at liberty to reopen the matter, in case of any default in payment on behalf of respondent No. 2.

OCTOBER 12, 2020
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No