

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

**FAO-1586-2018 (O&M)
Date of Decision:15.09.2020**

Jaswinder Kaur & another

... Petitioners

Versus

Gurtej Singh @ Inderjeet Singh & another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Yogesh Gupta, Advocate for the appellants.

Mr. Sachin Ohri, Advocate for the respondent No.2.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

CM-8009-CII-2020:

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Application is allowed as prayed for. The accompanying joint affidavit of the appellants is taken on record.

Application is disposed of.

CM-7660-CII-2020:

Instant application has been moved on behalf of the Insurance Company seeking disposal of the main appeal in the light of a settlement having been arrived at with the claimants/appellants.

Notice was issued in the application.

Mr. Yogesh Gupta, Advocate has entered appearance on behalf of the appellants/non-applicants and concedes to the settlement having been arrived at.

In view of the above, date in the main appeal is preponed from 15.12.2020 and is taken up for final disposal today itself.

Application is disposed of.

Main case:

This is the claimant's appeal seeking enhancement of compensation.

In the present case, a petition under Section 166 of the Motor Vehicles Act was filed by the appellants claiming adequate compensation on account of death of their son Gurpreet Singh in a motor vehicle accident that took place on 14.01.2016.

The Motor Accident Claims Tribunal, Chandigarh vide award dated 21.09.2017 has awarded an amount of Rs.11,48,200/- towards compensation in favour of the claimants/parents.

As per counsel representing the Insurance Company, a settlement had been arrived at whereby the Insurance Company is ready and willing to pay an additional sum of Rs.1,90,000/- over and above the compensation amount awarded by the Motor Accident Claims Tribunal.

Mr. Yogesh Gupta, Advocate concedes to the settlement having been arrived at.

Placed on record is a joint affidavit of the claimants/appellants admitting to the settlement of an additional sum of Rs.1,90,000/- over and above the amount awarded by the Tribunal.

In view of the above, the main appeal is disposed of in terms of modifying the award dated 21.09.2017 and the claimants being held entitled to an additional sum of Rs.1,90,000/- over and above the amount awarded

by the Tribunal.

Statement of Mr. Sachin Ohri counsel for the Insurance Company is recorded to the effect that the additional amount of Rs.1,90,000/- would be released in favour of the claimants/appellants within a period of four weeks from today.

Appeal is disposed of.

15.09.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |