

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

115 (PROCEEDINGS THROUGH V.C.)

CMS-8839 & 8847-CII-2020 IN/AND FAO-1826-2018

DATE OF DECISION: OCTOBER 01, 2020

Ajit Chand and another

.....Appellants

VERSUS

Varinder Jeet Singh and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

**Present: Mr. Anil Kumar Spehia, Advocate,
for the appellants.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-8839-CII-2020

Prayer in this application is for impleading the legal heirs of appellant No.1, Ajit Chand, who has expired on 09.05.2019. The legal heirs of deceased Ajit Chand have been detailed in Para 3 of the application. The said application is supported by an affidavit of Usha Rani wife of deceased Ajit Chand dated 22.09.2020. Amended memo of parties has also been appended alongwith the application.

Notice of the application.

Mr.Paul S. Saini, Advocate, puts in appearance on behalf of respondent No.3. He states that he has no objection to the prayer made in the application.

In the light of the above, the present application is allowed. Legal heirs of appellant No.1, Ajit Chand, as detailed in Para 3 of the application are brought on record subject to all just exceptions. Amended memo of parties, appended alongwith the application, is also taken on record. Registry is directed to place the same at an appropriate place of the file.

CM-8847-CII-2020 & FAO-1826-2018

Prayer in CM-8847-CII-2020, which is jointly filed by counsel for the appellants as also for respondent No.3, is for disposal of the appeal in the light of the agreement/settlement entered into between the appellants as also New India Assurance Company Limited, Jalandhar-respondent No.3. It has been stated therein that as per the mutually agreed terms and conditions, an amount of compensation of ₹7,25,000/- is to be paid to the claimants within four weeks from the date of receipt of certified copy of the final order in the appeal. This is in addition to what has been granted by the Tribunal. This is full and final settlement, which has been entered into between the parties. It has also been agreed that apportionment will be as per the terms and conditions decided by the Tribunal. Counsel for the parties are in *ad-idem* that the amount of compensation will be paid to the appellants by way of cheques/drafts according to their respective shares.

In the light of the above, counsel for the parties submit that the main appeal, which is now listed for hearing on 25.02.2021 be preponed and taken on board and disposed of in the light of the above compromise/settlement entered into between the parties.

In view of the above, CM-8847-CII-2020 is allowed. The hearing of the main appeal is preponed from 25.02.2021 to today and the

same is taken on board for hearing.

In the light of the compromise/final settlement entered into between the parties, details whereof have been recorded above, FAO No.1826 of 2018 is disposed of in the same terms.

October 01, 2020
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(AUGUSTINE GEORGE MASIH)
JUDGE

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