

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

**FAO No.905 of 2017 (O&M)**

Date of Decision: 26.10.2020

(Heard through VC)

National Insurance Company Limited

...Appellant

Versus

Meena @ Mina Devi and others

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Rajnish Malhotra, Advocate  
for the appellant.

Mr. Ashwani Arora, Advocate  
for the respondents.

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**JAISHREE THAKUR, J. (ORAL)**

**C.M. No.9221-CII of 2020**

This is a joint application filed by both the parties for preponing the date of hearing of the appeal, which is fixed for 11.11.2020 and for disposing of the same in terms of the compromise arrived at between the appellant and the claimants-respondents through their counsel.

In view of the reasons mentioned in the application, the same is allowed and the main appeal is taken up for hearing today itself.

**FAO No.905 of 2017**

The instant appeal has been filed seeking to challenge the Award passed by the Motor Accident Claims Tribunal, Chandigarh dated 16.11.2016 vide which claim petition preferred by the respondents/claimants had been allowed and a compensation of Rs.20,00,520/- had been awarded to the claimants.

While issuing notice of motion vide order dated 09.02.2017, this High Court had stayed the payment of compensation amount beyond Rs.14 lakhs. Pursuant to the said order, the insurance company deposited an amount of Rs.14 lakhs+Rs.25,000/- with the Tribunal.

During the pendency of the appeal, an amicable settlement arrived at between the parties wherein it has been agreed that respondents/claimants would be satisfied if the insurance company would pay another sum of Rs.3,40,000/- over and above the amount already deposited before the Tribunal, which amount would also be inclusive of interest component.

The joint application has been filed by both the appellant/insurance company and the respondents/claimants for disposal of the appeal in terms of the mutual settlement arrived at between the parties.

Counsel for the parties have put in appearance through the medium of video conferencing and they affirm that the matter has been settled amicably *inter se* parties. It has been agreed by the claimants that they would be satisfied in case another sum of Rs.3,40,000/- is paid towards full and final settlement by the insurance company.

Consequently, keeping in view that settlement has been arrived at between the parties, the instant appeal is disposed of in terms of the compromise. The insurance company will pay another amount of Rs.3,40,000/- over and above the amount already deposited before the Tribunal as full and final settlement, which would be inclusive of interest component. Let the said amount be deposited before the Tribunal within a period of one month from today, which shall be disbursed to the respondent/claimants along with the amount already stands deposited before

the Tribunal in the ratio as has been specified by the Tribunal vide award dated 16.11.2016 within a period of two weeks thereafter.

(JAISHREE THAKUR)  
JUDGE

October 26, 2020  
Pankaj\*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |