

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

Sr. No.106

CWP-6959-2016

Date of decision: 05.11.2020

United India Insurance Company Limited

....Petitioner

versus

Rampal and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Paul S. Saini, Advocate
for the petitioner.

Mr. Sant Lal Barwala, Advocate
for respondent No.1.

* * *

DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition which was filed by the Insurance Company challenging therein the order dated 09.10.2015 (Annexure P-9) passed by the Permanent Lok Adalat (Public Utility Services), Hisar was admitted for regular hearing. However, before the matter could be taken up for final hearing, a joint application has been filed by the contesting parties through which this Court was informed that on 14.10.2020 the parties have amicably resolved their dispute as per the following terms and conditions:-

- “1. The petitioner insurance company (UIIC) would pay to me a lumpsum amount of Rs.13,00,000/- (Rupees Thirteen Lacs only) towards my all the claims against the petitioner insurance company pertaining to the theft of insured vehicle i.e. Tata 2515 Tipper Truck bearing registration No.HR-39-B-0099, towards full and final settlement of my claim in the present writ petition.
2. I undertake to submit all the requisite documents viz., Original RC of the insured vehicle, RTO Form 29 & 30 duly completed in all respects and signed, both the keys of the insured vehicle, NOC from the financier, letter of

subrogation, special power of attorney, undertaking, indemnity bond, discharge voucher duly signed on revenue stamp, one cancelled cheque, attested copy of PAN Card and Aadhar Card etc. to the petitioner insurance company within 4 weeks from the date of final order of disposal of the present writ petition.

3. Thereafter, the petitioner insurance company shall pay the mutually agreed/settled amount of Rs.13,00,000/- directly into my bank account, through NEFT/RTGS as per bank details contained in my cancelled cheque, within 4 weeks from the date of submission of all the requisite documents mentioned above.
4. I completely understand that I would not be entitled to receive any claim from the petitioner insurance company unless and until all the aforesaid documents are submitted by me to the petitioner insurance company.
5. I am submitting my aforesaid consent for amicable settlement of the matter voluntarily without any pressure, influence, coercion or any misrepresentation.
6. I am fully and completely satisfied with the aforesaid compromise/settlement and shall not launch any civil/criminal litigation against the petitioner in future pertaining to the claim in the present writ petition.”

In view of the admitted position that the parties have resolved their dispute, the present petition is disposed of with a direction that both parties shall remain bound by the afore-quoted terms of the agreement between them.

No costs.

(DEEPAK SIBAL)
JUDGE

November 05, 2020

Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No