

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

SMRITI
2020.09.16 15:22
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Covid-19 Pandemic)**

FAO-254-2019 (O&M)

Date of Decision: 15.09.2020

JAGBIR SINGH AND ANR.

... PETITIONERS

VS.

RAM AVTAR MEENA AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Anil Kumar Gahlawat, Advocate, for the appellants.

Mr. Abhimanyu Batra, Advocate,
for respondent No.3-the Insurance Company.

VIVEK PURI, J.(ORAL)

CM-8438-CII-2020

Prayer in this application is for placing on record compromise dated 05.09.2020 (Annexure A-1) entered into between the appellants and respondent No. 3.

Allowed as prayed for.

FAO-254-2019

In terms of the award dated 25.04.2017, the learned Motor Accidents Claims Tribunal, Sonipat (for short 'the Tribunal') awarded a compensation to the tune of Rs.4,54,000/- alongwith interest @ 7% in favour of the appellants on account of death of their son, namely, Amit in a motor vehicular accident which took place on 10.12.2015. The offending vehicle was insured with respondent No.3.

Aggrieved by the aforesaid award, the appellants-claimants have preferred the present appeal seeking enhancement in the amount of compensation.

During the pendency of the present appeal, a compromise has been effected between the parties. Respondent No.3 (Insurance Company) has agreed to pay a sum of Rs.7,80,000/- over and above the amount as awarded by the Tribunal. Copy of the compromise has also been placed on record.

It has been stated by the learned counsel for respondent No.3 that the aforesaid amount of Rs.7,80,000/- shall be deposited before the Tribunal within a period of two months from today failing which the enhanced amount shall carry interest @ 7% per annum with effect from today.

In view of the compromise arrived at between the parties, the present appeal is disposed of and the appellants are held entitled to enhanced compensation to the extent of Rs.7,80,000/- over and above the amount already awarded by the Tribunal. The enhanced amount of compensation shall be deposited within a period of two months from today failing which, respondent No.3 shall be liable to pay interest @ 7% per annum with effect from today. The enhanced amount shall be apportioned by the appellants in equal share as already adjudicated by the Tribunal.

Disposed of in aforesaid terms.

15.09.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No