

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

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**CM-4903-CII-2021 in/and
FAO-1089-2020
Decided on : 05.07.2021**

National Insurance Co. Ltd.

... Appellant

Versus

Kajal Devi and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Sanjeev K. Arora, Advocate for the appellant.

Mr. Mayank Gupta, Advocate for the respondents.

G.S. Sandhawalia, J. (Oral)

CM-4903-CII-2021 has been filed for disposal of the appeal in view of the settlement between the parties, by the counsels jointly.

It is pointed out that a sum of Rs.20,62,800/- was awarded on account of the death of Amit Kumar, alongwith interest @ 7.5% per annum plus Rs.5,500/- as counsel fee. The interest element is stated to be Rs.2,66,309/-, out of which Rs.26,630/- is stated to be deposited with the Income Tax Authorities. The settlement as such is that respondents would be entitled to Rs.20,50,000/- and the balance amount of Rs.2,84,609/- is to be returned to the appellant-Insurance Company.

Keeping in view the above, CM-4903-CII-2021 is allowed and the hearing of the main appeal is preponed to today itself.

Accordingly, in view of the compromise arrived at between the parties, the appeal stands disposed of by modifying the order dated 04.02.2020, wherein only 50% of the amount was ordered to be released to the claimants, subject to deposit of security and the balance amount to be stayed.

July 05, 2021

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No