

CM-2264-CII-2021;
CM-2265-CII-2021 &
CM-2266-CII-2021 in/and
FAO-4655-2003

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

CM-2264-CII-2021;
CM-2265-CII-2021
CM-2266-CII-2021 in/and
FAO-4655-2003
Date of decision: - 04.03.2021

Jeet Singh and others

....Appellants

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashwani Arora, Advocate
for the applicants-appellants.

Mr. Paul S. Saini, Advocate
for non-applicant/respondent No.4-Insurance Company.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-2264-CII-2021

Present application has been filed for impleading the legal representatives of appellant No.1-Jeet Singh, who has unfortunately died on 14.11.2011 during the pendency of the present appeal.

Notice of the application to the opposite side.

Mr. Paul S. Saini, who has joined the proceedings through video conference, keeping in view the service of advance copy of

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petition, accepts notice on behalf of respondent No.4-Insurance Company and he has no objection for impleading the legal heirs of appellant No.1.

Keeping in view the averments made in the application, which are duly supported by an affidavit, present application is allowed. Legal heirs of appellant No.1-Jeet Singh, the details of whom have been given in the prayer of this application, are allowed to be impleaded in the present appeal, subject to all just exceptions and the amended memo of parties attached with the present application is taken on record.

CM stands allowed.

CM-2265-CII-2021

Learned counsel for the applicants-appellants submits that as the amended memo of parties, which spells the correct names of the parties, has already been taken on record while deciding CM-2264-CII-2021, he does not want to press this application, which is only for the correction of the names of the parties and the same may be disposed of as such.

Disposed of having been not pressed.

CM-2266-CII-2021

Present joint application has been filed for disposing of the present appeal i.e. FAO-4655-2003 in terms of the compromise, which has been effected between the parties.

Learned counsel appearing on behalf of the appellants and respondent No.4-Insurance Company argues that the parties have already

reached an out of Court settlement with regard to their dispute, which has been raised in the present appeal and pray that present appeal be disposed of in terms of said compromise by preponing the date of hearing of the main appeal i.e. FAO-4655-2003, which stands admitted.

In view the above, the application is allowed and on the request of learned counsel for the parties, the main appeal is taken up on Board for hearing today itself.

FAO-4655-2003

In the present appeal, the Motor Accident Claims Tribunal, Panchkula, allowed a compensation of ₹2,34,000/- in favour of appellants/claimants. Feeling aggrieved by the said compensation, the present appeal was filed.

Learned counsels for the parties jointly submits that by the impugned award, the compensation of ₹2,34,000/- was awarded in favour of the claimants and now, the parties have compromised that instead of ₹2,34,000/-, the appellants will be entitled for another consolidated sum of ₹7,25,000/- i.e. over & above the amount already awarded by the learned Tribunal towards full and final settlement between the parties. Learned counsel for the parties further submits that the award of the Motor Accident Claims Tribunal, Panchkula dated 01.02.2003 be modified accordingly.

Keeping in view the fact that the parties have compromised their disputes, the impugned award dated 01.02.2003 passed by the Motor

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Accident Claims Tribunal, Panchkula is modified to the extent that the appellants/claimants will be paid another sum of ₹7,25,000/- i.e. over and above the amount of ₹2,34,000/-, within a period of four weeks from the date of disposal of the main appeal.

Learned counsel for the parties also agree that the balance amount, which is to be released as per this order, will be remitted to the accounts of all the four claimants/appellants in equal shares.

Present appeal stands disposed of in above terms.

March 04, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No