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

**CM-1571-CII-2021 IN/AND
FAO-4903-2019 (O&M)
Date of decision: March 15, 2021**

Jaspal Singh and another

.....Appellants

Versus

Sanjeev Chand and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Ramneek Vasudeva, Advocate for the appellants.

Mr. Rajbir Singh, Advocate for respondent No.3.

MAHABIR SINGH SINDHU, J

CM-1571-CII-2021

Application is for placing on record joint affidavit of the appellants.

For the reasons stated in the application, the same is allowed subject to all just exceptions; joint affidavit as annexure A is taken on record.

Registry to tag the same at appropriate place.

Main case (O&M)

CM-16171-CII-2019

Application is for condonation of 8 (eight) days' delay in filing the appeal.

For the reasons stated in the application, the same is allowed; delay of 8 (eight) days in filing the appeal is condoned.

Main case

Present appeal has been filed under Section 173 of the Motor Vehicles Act, 1988 (for short 'Act') for modification/enhancement of award dated 14.03.2019 passed by learned Motor Accident Claims Tribunal, SAS Nagar, Mohali (for short 'Tribunal').

During the pendency of the present appeal, matter has been amicably settled by the parties with their consent and joint affidavit of both the appellants is also on record. Para-2 of the same reads as under: -

“2. That now the deponents have compromised the matter with the insurance company for an amount of Rs.3,60,000/- in total full and final settlement of their claim over and above the amount awarded by MACT, S.A.S. Nagar, Mohali. The deponents have already given their consent of compromise to their Counsel, therefore, the matter was orally settled between the deponents and respondent No.3-Insurance Company. On the basis of the settlement insurance company has prepared two cross cheques of Rs.1,80,000/- each in favour of the deponents, i.e. Jaspal Singh and Devinder Kaur bearing cheque No.082333 and 082348 dated 02.02.2021 drawn on ICICI Bank (Total Rs.3,60,000/-) as per oral settlement.”

Perusal of extracted portion of above said affidavit clearly reveals that respondent No.3-Insurer has agreed to pay an amount of ₹3,60,000/- over and above the amount awarded by learned Tribunal. Also transpires that two cheques for an amount of ₹1,80,000/- each in favour of both the appellants, namely Jaspal Singh and Devinder Kaur

have already been handed-over to them.

In view of the agreed stand taken by both sides, appeal stands disposed off, accordingly.

Pending application(s), if any, shall also stand disposed off.

(MAHABIR SINGH SINDHU)
JUDGE

March 15, 2021

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No