

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

**CM-4816 CII of 2021 in
CM-3909-CII of 2021 in/and
FAO No. 6141 of 2010
Date of Decision: 28.05.2021.**

Kanchan Devi and another

..... Appellants.

Versus

Ajmer Singh and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Rajbir Singh, Advocate
for applicant-respondent no.3.

Mr. Lalit Sharma, Advocate
for Mr. S.K.Sharma, Advocate
for the non-applicant-appellants.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing
due to outbreak of the pandemic, COVID-19.

CM-4816-CII of 2021.

Prayer in CM-4816-CII of 2021 is for preponement of the date of
hearing of CM-3909-CII of 2021, which stands automatically adjourned for
25.08.2021, due to outbreak of pandemic COVID-19.

Learned counsel for the non-applicant does not raise any objection
thereto.

At request of learned counsel for the parties, hearing of application
CM-3909 of 2021-CII, is preponed from 25.08.2021 for today itself.

Application is accordingly disposed of.

CM-3909-CII of 2021 in/and FAO No. 6141 of 2010.

Prayer in CM-3909-CII of 2021 is for listing of FAO No. 6141 of

2010 and for disposal of the same in terms of the compromise arrived at between applicant-respondent no.3-Insurance Company and the non-applicant-appellants.

It is submitted that the matter has been amicably resolved between the parties.

Learned counsel for the non-applicant-appellant-claimants affirms and verifies the factum of settlement between the parties. Affidavits of the appellants have been circulated on the whatsapp group created for the purpose of video conferencing. It is submitted that the said affidavits shall be filed with the Registry within the next one week.

Keeping in view the specific stand of the parties, appeal is taken on board for hearing today itself.

It is submitted that during pendency of this appeal, the matter has been amicably resolved between the appellant-claimants and respondent no.1-Insurance Company. It is agreed between the parties that a sum of Rs.3,25,000/- over and above the amount awarded by the learned Motor Accident Claims Tribunal, Ambala, vide award dated 19.11.2009, shall be paid to the appellant-claimants.

Learned counsel for the applicant-Insurance Company submits that the demand drafts for a sum of Rs.1,62,500/- each, shall be handed over to the appellants today itself. Photocopies of the said demand drafts dated 25.03.2021 are attached as Annexure A-2 with the application.

Learned counsel for the appellant reaffirms and verifies settlement between the parties and submits that the appellant-claimants have no objection, in case, the main appeal is disposed of in view of the settlement as above. It is stated that specific affidavits of the appellants, photocopies of which were circulated today shall be filed with the Registry of this Court within one week. Print out of the affidavits circulated today be taken and attached with the file.

Keeping in view the facts and circumstances as above CM No. 3909-CII of 2021, is allowed and FAO No. 6141 of 2010 is disposed of in terms of the settlement arrived at between the appellant-claimant and respondent-Insurance Company. Needless to say, in case, the said amount is not released to the appellants, they are at liberty to move an appropriate application in this appeal. Copy of this order be conveyed to the appellant-claimants at the given address. In case, affidavits are not filed within the stipulated period, the matter be put up before this Court.

May 28, 2021
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(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No