

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

**FAO-4817-2012 (O&M)
Date of Decision:21.01.2021**

Balkar Singh

... Appellant

Versus

Shiv Kumar & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Pankaj Bali, Advocate for the appellant.

Mr. Ravinder Arora, Advocate for the respondent No.3.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

CM-528-CII-2021:

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Prayer in the instant application is for placing on record the written compromise dated 12.01.2021, stated to have been entered into between the applicant/appellant and the contesting Insurance Company.

Notice in the application.

Mr. Ravinder Arora, Advocate enters appearance on behalf of the Insurance Company and concedes to the factum of a settlement having been arrived at.

With the consent of the counsel for the parties, the main appeal, which otherwise stands admitted, is taken up for final disposal today itself.

Application is disposed of.

Main case:

This is claimants' appeal seeking enhancement of compensation.

Suffice it to note that the appellant/Balkar Singh S/o Sh. Amrik Singh filed claim petition under Section 166 of the Motor Vehicle Act seeking just compensation on account of injuries suffered by him in a motor accident that took place on 21.10.2010 while he was proceeding on a motorcycle bearing registration No.HR-05-U-2538. Vide award dated 24.04.2012 passed by the Motor Accident Claims Tribunal, Karnal, appellant was awarded a sum of Rs.1,20,305/- as compensation on account of injuries sustained by him. Appellant was further held entitled to the interest @ 7.5% per annum from the date of filing of the claim petition till realization.

Counsel for the parties are *ad idem* that a settlement has been arrived at and in terms of which the Insurance Company is ready and willing to pay a sum of Rs.1,20,000/- over and above the compensation amount already awarded by the Tribunal. A written compromise dated 12.01.2021 has also been placed on record and the contents thereof, are admitted by counsel for the parties.

In view of the above, the present appeal is disposed of with a direction to the Insurance Company to release the agreed enhanced amount of Rs.1,20,000/- over and above the amount awarded by the Tribunal within a period of four weeks from today.

Disposed of.

Pending application(s), if any, shall also stands disposed of.

21.01.2021*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No