

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(109) CM-4041-CII-2021 in/and FAO-5667-2012
Date of Decision: April 09, 2021

Attar Singh and others

.. Appellants

Versus

Shyam and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jagtar Kureel, Advocate, for
Mr. Sarfraj Hussain, Advocate, for the non-applicant/appellants.

None for respondent No.1.

Mr. Sanjeev Goyal, Advocate, for
Mr. Rajbir Singh, Advocate, for applicant/respondent No.3-
Insurance Company.

HARSIMRAN SINGH SETHI, J.(ORAL)

CM-4041-CII-2021

Present application has been filed for preponing the hearing of the main appeal i.e. FAO No.5667 of 2012 and for disposing of the same in view of the compromise, which has been entered between the parties i.e. the Insurance Company and the claimants.

Learned counsel for the applicant/respondent No.3-Insurance Company submits that the parties have settled their dispute in an oral out of Court settlement with their free will and without any coercion and, therefore, the main appeal be disposed of in view of the said oral settlement.

Notice of the application to the counsel opposite.

Mr. Shiva Khurmi, Advocate, who is present in the Court, accepts notice on behalf of the non-applicant/appellants and does not dispute the averments made on behalf of the applicant/respondent No. 3-Insurance Company.

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

FAO-5667-2012

In the present case, the Motor Accident Claims Tribunal, Gurgaon, allowed a compensation of Rs. 2,62,000/- in favour of the appellant/claimant. Feeling aggrieved by the said compensation, the present appeal was filed.

During the pendency of the present appeal, this Court has been informed by the learned counsels appearing on behalf of respective parties that the parties have already settled their dispute in an out of Court oral settlement, according to which, apart from the amount awarded by the Tribunal i.e. Rs. 2,62,000/-, another consolidated sum of Rs. 4,50,000/- will be released in favour of the claimants within a period of 07 days. Learned counsels appearing on behalf of the respective parties confirm the said oral agreement and jointly pray that the present appeal be also disposed of in terms of the oral settlement recorded above.

Keeping in view the above, the present appeal is disposed of in terms of the oral agreement noticed above, according to which, the appellant/claimants will be paid another sum of Rs. 4,50,000/- over and above the amount of Rs. 2,62,000/- awarded by the Motor Accident Claims Tribunal, Gurgaon, within a period of 7 days from the date of disposal of the main appeal.

(HARSIMRAN SINGH SETHI)
JUDGE

April 09, 2021
harsha

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