

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

**CM Nos.1151-52 CII of 2021 with
CM No.5255-CII of 2021 in/and
FAO No.5702 of 2012**

Date of Decision: July 06 , 2021.

Rajo Devi @ Raj Kali and others

..... APPELLANTS

Versus

Shiv Kumar and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Pankaj Bali, Advocate
for the appellants.

Mr. Ravinder Arora, Advocate
for respondent No.3-Insurance company.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

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

CM No.5255-CII of 2021

Compromise dated 28.05.2021 alongwith affidavit of appellant No.1-Rajo Devi @ Raj Kali is taken on record subject to just exceptions.

Application is disposed of.

CM No.1151-CII of 2021

Prayer in this application is for listing of the appeal, which stands

admitted, in view of the compromise between the parties.

Learned counsel for non-applicant/appellants affirms the factum of compromise between the parties and raises no objection.

At request of learned counsel for the parties, appeal is taken on board for hearing today itself.

Application is accordingly disposed of.

CM No.1152-CII of 2021 in/and
FAO No.5702 of 2012

CM No.1152-CII of 2021 has been filed by respondent No.3- insurance company seeking disposal of the appeal, in view of the settlement arrived at between the parties.

This appeal has been filed by the claimants seeking enhancement of compensation awarded to them by the learned Motor Accident Claims Tribunal, Karnal (hereinafter referred to as, the 'Tribunal') vide impugned award dated 24.04.2012 on account of death of Balkar son of Surjan.

It is submitted that the matter has been amicably resolved between the appellants and the respondent-Insurance company. It is agreed that a sum of ₹3,55,000/- over and above the amount awarded by the learned Tribunal shall be deposited by the respondent-Insurance company within four weeks from today. It is further agreed that the amount shall be disbursed amongst the claimants i.e., the wife, three sons and parents of the deceased in the same ratio as has been awarded by the learned Tribunal on 24.04.2012.

Affidavit of appellant No.1 in respect to the compromise is on record. Learned counsel for the Insurance company submits that the amount in question shall be deposited before the learned Tribunal within four weeks and can be withdrawn by the appellants accordingly.

Learned counsel for the appellants submits that none of the appellants have any objection, whatsoever, in respect to the compromise and they seek disposal of the appeal in terms of the compromise.

Keeping in view the facts and circumstances as above, present appeal is disposed of in terms of the compromise arrived at between the parties. The sum of ₹3,55,000/- be deposited by the respondent-Insurance company within four weeks to be disbursed to the claimants in the same ratio as awarded by learned Tribunal to the claimants. Liberty is afforded to the appellants to file appropriate application in this appeal in case the amount in question is not so deposited. CM No.1152-II of 2021 is disposed of accordingly.

July 06 , 2021.
'om'

(LISA GILL)
JUDGE

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