

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-147-CII-2021 and
CM-148-CII-2021 and
CM-10223-CII-2020 and
FAO-1006-2013 (O&M)
Date of decision : February 04, 2021

Savita Devi and others	Versus	 Appellants
Bhim Singh and others		 Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Ms. Savita Devi, appellant No. 1 and
Mr. Kamaldeep, appellant No. 2 in person.

LISA GILL, J.

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

Lawyers have suspended work.

CM-147-CII-2021

Appellant No. 3 is stated to be survived by appellants No. 1 and 2 only.

For the reason mentioned in the application, legal representatives of respondent No. 3, as mentioned in para No. 2 of the application, are brought on record, for the purpose of this appeal and subject to just exceptions.

Amended memo of parties is taken on record

CM-148-CII-2021

Joint affidavit of appellants No. 1 and 2 and death certificate of appellant No. 3 attached as Annexures A1 and A2 respectively are taken on record subject to just exceptions.

Application is disposed of.

CM-10223-CII-2020 and FAO-1006-2013 (O&M)

Joint application i.e. CM-10223-CII-2020 has been moved on behalf

of the appellants as well as the insurance company – respondent No. 3, for listing of the appeal, which stands admitted and its disposal in terms of oral settlement arrived at between the parties.

Affidavit dated 24.11.2020 of Sh. Suryadeep Singh Thakur, Manager, Reliance General Insurance Company Limited is taken on record subject to just exceptions. The factum of settlement as above is clearly stated in the said affidavit.

Appellant No. 1 – Savita Devi and appellant No. 2 – Kamaldeep have joined proceedings through video conferencing from the office of Mr. Baldev Singh Dhillon, learned counsel for the appellants. The appellants affirm and verify the factum of compromise. They further submit that appellant No. 3, mother of the deceased is not survived by any legal representative, other than appellants. Appellants state that as lawyers have suspended work, their counsel is not able to assist this court, however, they pray for disposal of the appeal in view of the oral settlement.

At request of the appellants, appeal, which is admitted, is taken on Board today itself.

This appeal has been filed by the claimant – appellants seeking enhancement of compensation awarded to them by the learned MACT, Ambala, vide award dated 30.10.2012 on account of death of husband of appellant No. 1 in a motor vehicle accident. Sum of Rs.4,47,000/- has been awarded by the learned Tribunal.

Appellants reiterate that the matter has been amicably resolved between the respondent – insurance company and they have agreed to receive a sum of Rs.3,50,000/- over and above the amount awarded by the learned MACT,

Ambala vide impugned award dated 30.10.2012 on account of death of husband of appellant No. 1 in a motor vehicle accident as full and final settlement of their claim. They pray for appeal to be disposed of in terms of said oral settlement.

Keeping in view the facts and circumstances as above, application is allowed and this appeal is disposed of in terms of settlement arrived at between the parties. Account payee cheques of Rs.1,75,000/- each be issued in favour of the appellants within three weeks of receipt of certified copy of this order. Needless to say, appellants are at liberty to move appropriate application in this appeal, in case the cheque is not encashed.

February 04, 2021

Rts

(Lisa Gill)
Judge

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