

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

**CM-2594-95-CII of 2021 in/and
FAO No. 946 of 2012(O&M)
Date of Decision: 10.03.2021.**

Surender

..... Appellant.

Versus

Rajender and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Kartar Singh Malik-I, Advocate
for applicant-appellant.

Mr. Ashish Yadav, Addl.AG., Haryana
for respondent no.2.

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

LISA GILL, J.

CM-2595-CII of 2021.

Notice of the application.

Learned counsel for the appellant submits that the appellant was unmarried and he is survived by his sister-in-law and her son and daughter i.e., niece and nephew of the present appellant as detailed in para no.3 of the application. Copy of ration card is attached along with the application.

Learned counsel for respondents no.2 and 3, have not raised any objection to impleadment of the said persons as legal representatives of appellant-Surender.

In view of the facts and circumstances mentioned in the application as well as stand taken by learned counsel for respondents no.2 and 3, persons as detailed in para no.3 of the application, are brought on record as legal representatives of appellant-Surender for the purpose of this appeal and subject to

just exceptions.

Amended memo of parties is taken on record.

Application is accordingly disposed of.

CM-2594-CII of 2021 in/and FAO No. 946 of 2012

Prayer in CM-2594-CII of 2021 is for listing the main appeal i.e., FAO No. 946 of 2012 for hearing and for disposal thereof in terms of the compromise arrived at between the appellants and respondent no.3.

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

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

This appeal was filed by the appellant-claimant seeking enhancement of compensation awarded to him by the learned MACT, Rohtak vide award dated 12.08.2011, on account of injuries received by the appellant in a motor vehicle accident. Sum of Rs. 7,08,680/- has been awarded by the learned Tribunal.

It is submitted that during pendency of this appeal, the matter has been amicably resolved between the appellant-claimant and respondent no.1- Insurance Company. It is agreed that a total sum of Rs.7,00,000/- i.e. Rs.2,40,000/- to Suresh and Rs.2,30,000/- each to Asha and Vijay, over and above the amount awarded by learned tribunal, Rohtak vide impugned award dated 12.08.2011, shall be released to all the three legal representatives of the appellant within four weeks by way of account payee cheques. Affidavit dated 03.03.2021 of Vijay son of Naresh in respect to the settlement is attached.

Keeping in view the facts and circumstances as above CM No. 2594-CII of 2021, is allowed and FAO No. 946 of 2012 is disposed of in terms of the oral settlement arrived at between the appellant-claimant and respondent- Insurance Company. Copy of this order be conveyed to the legal representatives

of the appellant at the given address. Needless to say, in case, the said amount is not released to the legal representatives of appellant-Surender, they are at liberty to move an appropriate application in this appeal.

March 10, 2021
's.khan'

(LISA GILL)
JUDGE

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