

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

**CM-3123-CII of 2021 in/and
FAO No. 5452 of 2014(O&M)
Date of Decision: 25.03.2021.**

Master Sudhir

..... Appellant.

Versus

Bittu and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Rajneesh Malhotra, Advocate
for applicant-respondent no.2.

Mr. B.S.Tewatia, Advocate
for non-applicant-appellants.

LISA GILL, J.

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

Prayer in CM-3123-CII of 2021 is for preponement of hearing of the main appeal i.e., FAO No.5452 of 2014 from 27.07.2021 and for disposal thereof in terms of the compromise arrived at between applicant-respondent no.2- Insurance Company and the non-applicant-appellant.

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

Learned counsel for the appellant-claimant affirms and verifies the factum of settlement between the parties. Affidavit dated 19.03.2021, of Anita, mother and natural guardian of the minor-appellant in respect to the settlement is taken on record subject to just exceptions. It is specifically stated that settlement has been effected for the benefit and welfare of the minor.

At request of learned counsel for the parties, hearing of the matter is preponed from 27.07.2021 for today itself.

This appeal has been filed by the appellant-claimant seeking enhancement of compensation awarded to him by the learned MACT, Palwal, vide award dated 02.12.2013, on account of injuries received by the appellant, in a motor vehicle accident. Sum of Rs. 49,000/- has been awarded by the learned Tribunal.

It is submitted that during pendency of this appeal, matter has been amicably resolved between the appellant-claimant and respondent no.2-Insurance Company. It is agreed that a sum of Rs.1,25,000/- over and above the amount awarded by learned tribunal, Palwal vide impugned award dated 02.12.2013, is accepted as full and final settlement of the claim and the same shall be deposited before the learned tribunal within three weeks from today. Affidavit of Anita, mother of the appellant-Master Sudhir (minor) is on record.

Keeping in view the facts and circumstances as above CM No. 3123-CII of 2021, is allowed and FAO No. 5452 of 2014 is disposed of in terms of the settlement arrived at between the appellant-claimants and respondent-Insurance Company. Needless to say, amount of Rs.1,25,000/- be deposited by the respondent-Insurance Company before the learned tribunal within three weeks from today and the same shall be disbursed in terms of Award dated 02.12.2013. Copy of this order be conveyed to the appellant-claimant at the given address. Liberty is afforded to the appellant-claimant to move appropriate application in case the amount is not received by him or there is any factual inaccuracy in the facts projected before this Court today.

March 25, 2021
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(LISA GILL)
JUDGE

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