

FAO-5996 of 2014 (O&M)
Date of Decision: 19.01.2021.

...Appellants

Sunil Kumar &Ors.

...Respondents

CORAM: HON'BLE MR JUSTICE ARUN MONGA

Present : Ms. Archana Vashisht, Advocate for
Mr. R.S. Longia, Advocate
for the appellant.

Mr. Ashwani Talwar, Advocate
For Insurance Company.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

CM-9933-CII of 2020

This is an application for bringin on record the legal representatives of appellant Bhupinder Singh, who is stated to have died during pendency of instant appeal on 22.08.2014.

For the reasons mentioned in the application and in view of no objection by learned counsel for the Insurance Company to the same, application is allowed. The persons mentioned in para No.1 of the application are permitted to be impleaded as legal representatives of appellant, subject to all just exceptions and for the purpose of this litigation alone.

Amended memo of parties is taken on record. Registry to tag the same at appropriate place.

**CM-10724-CII of 2020 and
FAO No. 5996 of 2014(O&M)**

This is joint application filed by the appellants and Insurance Company seeking disposal of the main appeal on the basis of compromise arrived at between them.

As per both the counsels, a mutual settlement has been arrived at. Per compromise, respondent No.3-insurance company will pay the enhanced compensation of Rs.70,000/- over and above the amount of Rs.99793/- awarded by the Tribunal below as compensation to the appellant, to settle the issue.

Learned counsel for respondent No.3-Insurance Company states that he will send the demand draft amounting to Rs.70,000/- to learned counsel for the appellants within one month.

In the premise, the appeal stands disposed of. The parties shall remain bound by the terms of the compromise which shall be treated as part and parcel of the Award.

However, the appellants would be at liberty to reopen the matter in case of any default in payment on behalf of respondent No. 3.

Pending application, if any, shall also stand disposed of.

January 19, 2021
Jiten

(ARUN MONGA)
JUDGE

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