

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103

CM-10995-CII-2020 in/and
FAO-4419-2015
Date of decision: 06.01.2021

Rajbir @ Rajveer and another

.....Appellants

versus

Sukhdeep Singh and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Saurabh Dalal, Advocate for the appellants.

Mr. Raj Kumar Bashamboo, Advocate
for respondent No.3.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Appellants-Rajbir @ Rajveer and Smt. Mukesh, have jointly filed the present appeal *inter alia* challenging the award dated 23.01.2015, passed by the Presiding Officer, MACT, Jhajjar.

In the present appeal, prayer has been made to modify the award and enhance the compensation to Rs.25,00,000/- with interest @ 9% P.A.

Records of the case show that vide order dated 29.10.2015, notice of motion was issued.

Today, CM-10995-CII-2020 has been jointly filed by the parties *inter alia* with a prayer for preponing the date of hearing in the main case

and with a further prayer to dispose of the present appeal in view of the oral compromise arrived at between the parties.

Learned counsel for the appellants submits that MACT Tribunal had awarded a sum of Rs.5,00,000/- along with interest in Claim Petition No.157 of 2013 titled as Rajbir @ Rajveer and another vs. Sukhdeep and others. He submits that the appellants as well as Insurance Company i.e. respondent No.3 have mutually settled the matter. The parties have arrived at mutual consensus that claimants/appellants would be satisfied if the compensation is enhanced to Rs.4,00,000/- under all heads of compensation including interest towards full and final settlement of the claim in the present appeal. It is further submitted that this amount of Rs.4,00,000/- is over and above the amount already received by the appellants under the award. The said joint application is supported by the affidavit of the counsel on behalf of respondent No.3.

In view of the above facts and circumstances and for the reasons mentioned in the application, the same is allowed. Date of hearing in the main case, is preponed to today i.e. 06.01.2021 and the main case is taken up on board.

Keeping in view the observations made above, the appeal is disposed of with the modification in the award that as mutually agreed between the parties, respondent No.3 shall pay to the appellants Rs.4,00,000/- over and above the amount awarded by the Tribunal. The same shall be released to the appellants within one month from the date of receipt of certified copy of the order.

Ordered accordingly.

(GIRISH AGNIHOTRI)
JUDGE

06.01.2021
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No