

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CM-5978-CII-2021 in
CM-5054-CII-2021 in
FAO-5170-2015 (O&M)
Date of Decision: July 27, 2021**

JAGDISH CHANDER ALIAS DALEL AND ANOTHER

..... APPELLANT(s)

Versus

NAR SINGH AND OTHERS

..... RESPONDENT(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ram Pal Verma, Advocate
for the applicant-appellants.

Mr. Vishal Aggarwal, Advocate
for respondent no.3.

LISA GILL, J.

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

CM-5978-CII-2021

For the reasons mentioned in the application, duly supported by an affidavit of the applicant, same is allowed as prayed for. Affidavits of the appellants are taken on record, subject to just exceptions.

Application is disposed of.

FAO-5170-2015

An application (CM-5054-CII-2021) has been filed on behalf of respondent no.3 - insurance company, for preponing the appeal from 10.09.2021 and for disposal of the same, on the basis of settlement arrived at between the claimants-appellants and the insurance company.

It is submitted that the matter has been amicably resolved between the parties. Learned counsel for the appellants as well as insurance company verify the factum of settlement between the parties.

Keeping in view the specific stand of the parties and at their request, hearing of the main appeal is preponed from 10.09.2021 for today itself.

This appeal has been filed by the claimants – appellants seeking enhancement of the compensation awarded to them by the learned MACT, Sonipat, vide award dated 14.08.2014, on account of death of their son Pardeep, in a motor vehicle accident. A sum of Rs.2,68,500/- has been awarded to both the appellants by the learned Tribunal.

It is submitted that during pendency of this appeal, matter has been amicably resolved by way of an oral settlement. It is agreed between the appellants and insurance company that a sum of Rs.3,30,000/- over and above the amount awarded by learned MACT, Sonipat, vide impugned award dated 14.08.2014, would be paid to appellants by way of demand draft in equal share.

Learned counsel for the appellants submits that he has specific instructions from the appellants to accept counter offer of the proposal of settlement. The appellants have agreed to accept a sum of Rs.3,30,000/- over and above the amount awarded by the learned MACT, Sonipat, on account of death of their son Pardeep, in the accident in question as full and final settlement of their claim. Affidavits dated 22.07.2021 of the appellants affirming the settlement are on record.

Learned counsel for the insurance company submits that amount of Rs.3,30,000/- shall be paid to the appellants through demand drafts in equal share, within a period of four weeks from today.

Keeping in view the facts and circumstances as above, this appeal is disposed of in terms of settlement arrived at between the parties. Needless to say, appellants are at liberty to move appropriate application in this appeal, in case the demand drafts are not received/encashed.

A copy of this order be sent to the appellants at the address available on the file.

27.07.2021
Sunil

(LISA GILL)
JUDGE

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