

S.No.117

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

**CM No.459-CII of 2021 in/and
FAO No.6327 of 2015 (O&M)
Date of Decision:16.02.2021**

Sunita Devi and others

.....Appellants

Vs.

Ishwar @ Kalu and others

.....Respondents

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Rajbir Singh, Advocate for applicant- respondent No.3.

Mr. Ashwani Bhardwaj, Advocate for the appellants.

Rajbir Sehrawat, J.(Oral)

CM No.459-CII of 2021

This is an application filed under Section 151 CPC for preponing and disposing of the matter in terms of the compromise between the appellants and respondent No.3- Insurance Company.

For the reasons mentioned in the application, the same is allowed. The date of hearing in the main case is being taken up today itself for disposal in terms of compromise between the parties.

CM No.19900-CII of 2015

This is an application for condonation of delay of 1081 days in filing the appeal.

Notice in the application was issued on 29.10.2015. However, no reply has been filed so far. Therefore, for the reasons mentioned in the application, the same is allowed. Delay of 1081 days in filing the appeal is condoned.

CM No.459-CII of 2021 in/and FAO No.6327 of 2015 (O&M) -2-

FAO No.6327 of 2015

The instant appeal has been filed by the claimants/dependants/ legal representatives of deceased- Savin seeking enhancement of the compensation awarded to them by Motor Accident Claims Tribunal, Hisar (in short, `the Tribunal). After adjudication upon the claim petition, the Tribunal had awarded an amount of Rs.4,78,000/-, along with interest and benefits, as specified in that award.

Now it has been submitted by counsel for respondent No.3- Insurance Company, that the parties have amicably settled the dispute, under which the respondent No.3 has agreed to pay the enhanced amount of Rs.6,24,000/- more, over and above the amount awarded by the Tribunal.

Counsel for the appellants has not disputed the above settlement between the parties and has expressed his no objection, to the disposal of the present appeal in terms of the compromise.

In view of the above, the present appeal is disposed of in terms of the above said compromise, by awarding an amount of Rs.6,24,000/- more, over and above the amount awarded by the Tribunal.

It is further ordered that respondent No.3 shall hand over the bankers cheque No.082245 dated 04.01.2021 for the amount of Rs.6,24,000/- in favour of appellant No.1-Sunita Devi, photostat copy of which has been attached with the application at Annexure A.2, to the counsel for the appellants within a period of one week from today, for encashment in the account of the appellant No.1 only.

February 16, 2021
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No