

S.No.116

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

**CM No.75-CII of 2021 in/and
FAO No.8495 of 2014 (O&M)
Date of Decision:11.01.2021**

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.....Appellant

Vs.

Sujeet Kumar Mahal 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. S.K. Bawa, Advocate for the appellant.

Rajbir Sehrawat, J.(Oral)

CM No.75-CII of 2021

This is an application for preponing the matter and disposing of the matter in terms of the compromise between the appellant and the respondent No.3- Insurance Company.

Notice in the application.

Mr. S.K. Bawa, Advocate accepts notice on behalf of the non-applicant- appellant and he has no objection in allowing the application.

For the reasons mentioned in the application, the same is allowed. The date of hearing in the main case is preponed from 05.03.2021 to today itself.

**CM No.23114-CII of 2014 in
FAO No.8495 of 2014**

This is an application for condonation of delay of 43 days in

filing the present appeal.

Notice of the application was issued on 10.03.2015. However, no reply to the application has been filed. Therefore, for the reasons mentioned in the application, delay of 43 days in filing the present appeal is condoned, subject to all just exceptions.

Application stands disposed of.

FAO No.8495 of 2014

The instant appeal has been filed by the claimant/appellant seeking enhancement of the compensation awarded to her by Motor Accident Claims Tribunal, Nuh, District Mewatt (in short, 'the Tribunal). After adjudication upon the claim petition, the Tribunal had awarded an amount of Rs.1,70,242/-, 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.5 lakhs under all heads, over and above the amount already awarded by the learned Tribunal.

Counsel for the appellant 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.5 lakhs 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.684053 dated 28.12.2020 for the amount of Rs.5 lakhs, photostat copy of which has been attached with the application at Annexure A.2, to the counsel for the appellant within a period of one week from today, for encashment in the account of the appellant only.

January 11, 2021
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(RAJBIR SEHRAWAT)
JUDGE

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