

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

FAO No. 7332 of 2015(O&M)

Date of Decision: March 10 , 2021.

Suman and others

..... APPELLANTS

Versus

Mohmad Lal Babu and others

..... RESPONDENTS

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gaurav Singla, Advocate
for the appellants.

Mr. Rajneesh Malhotra, Advocate
for respondent No.3-Insurance Company.

Mr. Gaurav Gupta, Advocate
for respondents No.4 and 5.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

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

CM No.10719-CII of 2020 and
CM No.650-CII of 2021

Learned counsel for the applicants submit that as the main appeal is listed for today, both the applications have been rendered infructuous.

Ordered accordingly.

FAO No.7332 of 2015

Appellants and respondents No.3 to 5 seek disposal of the appeal in

terms of oral compromise which has been arrived at between the parties.

Present appeal has been filed by the claimants seeking enhancement of compensation awarded to them by the learned Motor Accident Claims Tribunal, Palwal (hereinafter referred to as, the 'Tribunal') on account of injuries received by Devender Kumar in a motor vehicle accident, which took place on 23.02.2008. Devender Kumar passed away during pendency of the claim petition before the learned Tribunal. The claimants i.e., the wife and minor children of Devender Kumar (present appellants), alongwith respondents No.4 and 5 i.e., parents of Devender Kumar, were impleaded as legal representatives of Devender Kumar. Learned Tribunal awarded a sum of ₹4,32,400/- as compensation to the claimant-wife and respondents No.4 and 5. Compensation was directed to be disbursed in equal proportion.

Learned counsel for the appellants and respondent No.3 submit that an oral compromise has been arrived at between the parties. It is agreed that a sum of ₹70,000/- over and above the amount awarded by the learned Tribunal, shall be handed over to appellant No.1.

Learned counsel for respondents No.4 and 5 i.e., parents-in-law of appellant No.1, submits that said respondents have no objection in case the entire amount of ₹70,000/- is remitted to appellant No.1, their daughter-in-law. Affidavits of appellant No.1 as well as respondents No.4 and 5 in this respect are on record.

Learned counsel for respondent-insurance company submits that account-payee cheque in favour of appellant No.1 shall be handed over to her within the next ten days.

Keeping in view the facts and circumstances as above, present

appeal is disposed of in terms of the compromise arrived at between the parties.
Liberty is afforded to appellant No.1 to move an appropriate application in this
appeal in case she does not receive the cheque as above or same is not
encashed.

March 10 , 2021.
'om'

(LISA GILL)
JUDGE

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