

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

**CM-3479-CII of 2021 in
CM-2498-CII of 2021 in
FAO No. 639 of 2016(O&M)
Date of Decision: 25.03.2021.**

Daljit Singh and another

..... Appellants.

Versus

Jaswinder Singh @ Jassa and another

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. N.K. Vadehra, Advocate
for applicant-appellants (in CM-3479-CII of 2021).

Mr. Kulwinder Singh, Advocate
for Mr. Rajbir Singh, Advocate
for non-applicant-respondent no.2.

LISA GILL, J.

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

CM-3479-CII of 2021.

Affidavit dated 20.03.2021 of appellant no.2, Annexure A-1, is taken
on record subject to just exceptions.

Application is accordingly disposed of.

CM-2498-CII of 2021 in/and FAO No. 639 of 2016.

Prayer in CM-2498-CII of 2021 is for preponement of hearing of the
appeal i.e., FAO No. 639 of 2016, listed for 19.07.2021 and for disposal thereof
in terms of the compromise arrived at between the appellants and respondent
no.2.

Learned counsel for the appellants submits that appellant no.1 passed away last year (2020) and is not survived by any other legal heir except appellant no.2, his wife and that the matter has been amicably resolved between the parties.

Keeping in view the specific stand of the parties, hearing of the appeal is preponed from 19.07.2021 for today itself.

This appeal has been filed by the appellant-claimants seeking enhancement of compensation awarded to them by the learned MACT, Gurdaspur vide award dated 09.12.2014, on account of death of their son, namely Jobanpreet Singh, in a motor vehicle accident which took place on 10.10.2009, due to rash and negligent driving of the offending vehicle duly insured with respondent Insurance Company. Sum of Rs.4,00,000/- has been awarded by the learned Tribunal as compensation.

It is submitted that during pendency of this appeal, the matter has been amicably resolved between the appellant-claimant no.2 and respondent no.2- Insurance Company. It is agreed that a total sum of Rs.2,60,000/- over and above the amount awarded by learned tribunal, Gurdaspur vide impugned award dated 09.12.2014, shall be released to appellant no.2 within two weeks from today. Affidavit dated 20.03.2021 of Kuldip Kaur wife of Daljit Singh, in respect to the settlement, death of her husband and she being the sole legal heir of appellant no.1, is on record.

Keeping in view the facts and circumstances as above CM No. 2498-CII of 2021, is allowed and FAO No. 639 of 2016 is disposed of in terms of the oral settlement arrived at between the claimant-appellant no.2 and respondent- Insurance Company. Amount of Rs.2,60,000/- be deposited by respondent no.2 with the learned tribunal within two weeks of receipt of certified copy of the order, to be released to the claimant-appellant qua adequate proof of identity. Copy of this order be conveyed to appellant no.2 at the given address. Needless to

say, in case, the said amount is not released to appellant no.2, she is at liberty to move an appropriate application in this appeal.

March 25, 2021
's.khan'

(LISA GILL)
JUDGE

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