

CM-2578-CII-2021 in/and
FAO-64-2016 (O&M)
Date of decision: March 26, 2021

BABU RAM

..... Appellant

Versus

NAVRATAN @ NIROTAM AND ANR

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Rajbir Singh, Advocate for applicant/respondent No. 2.

Mr. Vikas Kumar, Advocate for the appellant.

LISA GILL, J.

Prayer in CM-2578-CII-2021 is for preponement of hearing of the appeal, which is listed for hearing on 09.07.2021 and for disposal of the same in terms of the oral compromise arrived at between the parties.

It is submitted that the matter has been amicably resolved between the parties.

Notice of the application.

Mr. Vikas Kumar, Advocate accepts notice on behalf of the non-applicant/appellant. Learned counsel for the appellant affirms and verifies that an oral settlement has been arrived at between the parties.

Keeping in view the specific stand of the parties, hearing of the appeal is postponed from 09.07.2021 for today itself.

This appeal has been filed by the claimant – appellant seeking enhancement of compensation awarded to him by the learned MACT, Palwal, vide award dated 23.07.2015, on account of injuries suffered by him in a motor vehicle accident. Sum of Rs.1,59,000/- has been awarded by the learned Tribunal.

It is submitted that during pendency of this appeal, the matter has been amicably resolved by way of an oral settlement. It is agreed between the appellant and insurance company that a sum of Rs.2,50,000/- over and above the

amount awarded by learned MACT, Palwal vide impugned award dated 23.07.2015, would be handed over to the appellant, as full and final settlement of his claim.

Affidavit dated 15.03.2021 of the appellant in respect to the settlement, alongwith photocopies of his Adhaar card and voter list, are taken on record subject to just exceptions.

Learned counsel for the appellant affirms and verifies that the appellant has agreed to accept a sum of Rs.2,50,000/- over and above the amount awarded by the learned MACT, Palwal on account of injuries suffered by the appellant in the accident in question as full and final settlement of his claim.

Learned counsel for the appellant submits that account details of the appellant shall be supplied within two days on which Mr. Rajbir Singh, Advocate for respondent – insurance company submits that the amount in question shall be transferred through RTGS/demand draft shall be deposited directly in the account of the appellant within one week thereafter and receipt thereof be placed on record on this file.

Keeping in view the facts and circumstances as above, application is allowed and this appeal is disposed of in terms of settlement arrived at between the parties. Needless to say, appellant is at liberty to move appropriate application in this appeal, in case the amount in question is not received by him. Receipt regarding deposit of the amount be placed on record within three weeks.

A copy of this order be conveyed to the appellant at his given address.

March 26, 2021
rts

(Lisa Gill)
Judge

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