IN THE HIGH COURT OF PUNJAB AND HARYANA ATCHANDIGARH

CM-347-CII-2021 &
CM-10834-CII-2020 in/and
FAO-1198-2017
Date of Decision: January 14, 2021

SADEEK MOHAMMAD

..... APPELLANT(s)

Versus

JASWINDER SINGH AND OTHERS

..... RESPONDENT(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Anil Kumar Spehia, Advocate
for the applicant-appellant.

Mr. Harjinder Singh, Advocate
for applicant-respondent no.3-insurance company.

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LISA GILL, J.

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

CM-347-CII-2021

For the reasons mentioned in the application, same is allowed as prayed for. Affidavit of the appellant is taken on record subject to just exceptions.

Application is disposed of.

CM-10834-CII-2020

This is a joint application filed on behalf of appellant and respondent no.3 - insurance company, for disposal of the appeal, which is listed for 25.03.2021, on the basis of settlement arrived at between the claimant-appellant and the insurance company.

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integrity of this document

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

Learned counsel for the appellant as well as insurance company verify the factum of settlement between the parties.

Keeping in view the specific stand of the parties and at their request, hearing of the appeal is preponed from 25.03.2021 for today itself.

This appeal has been filed by the claimant – appellant seeking enhancement of the compensation awarded to him by learned MACT, SBS Nagar, vide award dated 01.12.2016, on account of death of Ramzan Bibi, wife of the appellant, in a motor vehicle accident. A sum of Rs.4.25 lakhs has been awarded to appellant by the learned Tribunal.

It is submitted that during pendency of this appeal, 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, SBS Nagar, vide impugned award dated 01.12.2016, would be paid to the appellant by way of account payee cheque.

Learned counsel for the appellant submits that he has specific instructions from the appellant to accept counter offer of the proposal of settlement. The appellant has agreed to accept a sum of Rs.2,50,000/- over and above the amount awarded by the learned MACT, SBS Nagar, on account of death of Ramzan Bibi, wife of the appellant, in the accident in question as full and final settlement of his claim.

Learned counsel for the insurance company submits that amount of Rs.2.50 lakhs shall be paid to the appellant through account payee cheque within a period of four weeks from today.

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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 cheque is not received/encashed.

14.01.2021 **(LISA GILL)**
Sunil **JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

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