

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CM-425-CII-2021 &
CM-10853-CII-2020 in/and
FAO-2877-2017 (O&M)
Date of Decision: January 18, 2021**

JAGJIT SINGH

..... APPELLANT(s)

Versus

RAJ KAMAL JERATH AND OTHERS

..... RESPONDENT(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Pankaj Katia, Advocate
for the applicant-appellant.

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

LISA GILL, J.

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

CM-425-CII-2021

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

Application is disposed of.

CM-10853-CII-2020

Prayer in this application is for listing of the appeal and its disposal in terms of the compromise arrived at between the appellant and respondent no.3-insurance company. 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 joint request, hearing of the appeal is preponed from 23.04.2021 for today itself.

This appeal has been filed by the claimant – appellant seeking enhancement of the compensation awarded to him by the learned MACT, SAS Nagar, Mohali vide award dated 01.11.2016, on account of injuries received by the appellant in a motor vehicle accident. A sum of Rs.1,27,000/- has been awarded to the 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.5 lakhs over and above the amount awarded by learned MACT, SAS Nagar, Mohali vide impugned award dated 01.11.2016, would be paid to 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.5 lakhs over and above the amount awarded by the learned MACT, SAS Nagar, Mohali on account of injuries received by the appellant in the accident in question as full and final settlement of their claim. Affidavit dated 13.01.2021 of the appellant in respect to the settlement between the parties is on record.

Learned counsel for the insurance company submits that amount of Rs.5 lakhs shall be paid to the appellant through account payee cheque within one week.

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.

18.01.2021
Sunil

(LISA GILL)
JUDGE

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