

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

**CM-77-CII of 2021 in/and
FAO No. 3437 of 2017(O&M)**

Date of Decision: 22.01.2021.

Gaurav

..... Appellant.

Versus

Pawan Kumar and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Lalit Sharma, Advocate
for the non-applicant-appellant.

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

LISA GILL, J.

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

Prayer in CM-77-CII of 2021 is for preponement of hearing of the main appeal i.e., FAO No. 3437 of 2017 , from 23.04.2021 and for disposal thereof in terms of the compromise arrived at between applicant-respondent no.3- Insurance Company and the non-applicant-appellant.

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

Learned counsel for the appellant-claimant affirms and verifies the factum of settlement between the parties. Affidavit of the appellant-claimant has been circulated on the e-mail created for the purpose of video conferencing. Print out of the same be taken and attached with the file. Said affidavit dated 16.01.2021 be filed with the Registry of this Court within one week.

At request of learned counsel for the parties, hearing of the matter is preponed from 23.04.2021 for today itself.

This appeal has been filed by the appellant-claimant seeking

enhancement of compensation awarded to him by the learned MACT, Karnal vide award dated 28.03.2016, on account of injuries received by the appellant in a motor vehicle accident. Sum of Rs. 75,000/- has been awarded by the learned Tribunal.

It is submitted that during pendency of this appeal, the matter has been amicably resolved between the appellant-claimant and respondent no.3- Insurance Company. It is agreed between the appellant and insurance company that a sum of Rs.1,20,000/- over and above the amount awarded by learned tribunal, Karnal vide impugned award dated 28.03.2016, shall be handed over to the appellant. Photocopy of cheque no. 082230 dated 28.12.2020 is attached with the application.

Keeping in view the facts and circumstances as above CM No. 77-CII of 2021, is allowed and FAO No. 3437 of 2017 is disposed of in terms of the settlement arrived at between the appellant-claimant and respondent-Insurance Company. It is directed that the cheque in question be handed over to the appellant-claimant within one week from today. Needless to say, in case, the said amount is not released to the appellant, he is at liberty to move an appropriate application in this appeal.

January 22, 2021
's.khan'

(LISA GILL)
JUDGE

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