

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

**CM No.205-CII of 2021 in/and
FAO No.4457 of 2017 (O&M)
Date of decision : January 13, 2021**

Amarjit and others

..... Appellants

Versus

Vishay Darpan and another

..... Respondents

(IN VIRTUAL COURT)

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Nitin Mittal, Advocate for the appellants.

Mr. Sandeep Suri, Advocate for the applicant-respondent No.2.

RAJBIR SEHRAWAT, J. (ORAL)

CM-205-CII of 2021

The present application has been filed by respondent No.2 for disposal of the main appeal i.e. FAO No.4457 of 2017.

For the reasons mentioned in the application, the same is allowed and the main appeal is taken up for hearing today.

CM-13460-CII-2017

This is an application for condonation of delay of 1146 days in filing the present appeal.

Notice of the application was issued on 05.11.2019. However, no reply to the application has been filed. Therefore, for the reasons mentioned in the application, delay of 1146 days in filing the present appeal is condoned, subject to all just exceptions.

Application stands disposed of.

Main Case

The instant appeal has been filed by the claimants/dependants/ legal representatives of deceased- Dharam Pal seeking enhancement of the compensation awarded to them by the Motor Accident Claims Tribunal, Panchkula (in short 'the Tribunal'). After adjudication upon the claim petition, the Tribunal had awarded an amount of ₹7,81,328/-, along with interest and benefits, as specified in that award.

Now it has been submitted by counsel for respondent No.2- Insurance Company, that the parties have amicably settled the dispute, under which respondent No.2 has agreed to pay the enhanced amount of ₹2 lacs under all heads, over and above the amount which was awarded by the learned Tribunal.

Counsel for the appellants has not disputed the above settlement between the parties and has expressed his no objection, to the disposal of the present appeal in terms of the compromise.

In view of the above, the present appeal is disposed of in terms of the above said compromise, by awarding an amount of ₹2 lacs under all heads, over and above the amount already awarded by the Tribunal. It is further ordered that respondent No.2 shall deposit the above-said amount of ₹2 lacs before the concerned Tribunal, within a period of four weeks from today. The Tribunal shall disburse the same to the claimants, in accordance with law.

(RAJBIR SEHRAWAT)
JUDGE

January 13, 2021

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Whether speaking / reasoned

Yes

Whether Reportable:

No