

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

**CM-71 CII of 2021 in/and
FAO No. 4289 of 2018
Date of Decision: 08.01.2021.**

Mujahid Hussain

..... Appellant.

Versus

Sunil @ Sonu and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Mr. Ashish Gupta, Advocate
for the non-applicant-appellant.

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-71-CII of 2021 is for preponement of the date of hearing of the main appeal i.e., FAO No. 4289 of 2018 and disposing of the same in terms of the compromise arrived at between applicant-respondent no.3- Insurance Company and the non-applicant-appellant.

Learned counsel for the appellant-claimant affirms and verifies the factum of settlement between the parties. Affidavit dated 04.01.2021 attested on 08.01.2021 executed by 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.

At request of learned counsel for the parties, hearing of the matter is preponed from 23.03.2021 for today itself.

Learned counsel submits that it is agreed between the parties that a sum of Rs.9 lakhs over and above the amount awarded by the learned Motor Accident Claims Tribunal, Mewat, vide award dated 21.11.2017, shall be paid to the appellant-claimant. Photocopy of cheque no. 082205 dated 24.12.2020 is attached with the application.

Learned counsel for the applicant-Insurance Company submits that the said cheque shall be handed over to the appellant-claimant within one week from today. Learned counsel for the appellant reaffirms and verifies settlement between the parties and submits that the appellant-claimant has no objection, in case, the main appeal is disposed of in view of the settlement as above.

Keeping in view the facts and circumstances as above CM No. 71-CII of 2021, is allowed and FAO No. 4289 of 2018 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 and affidavit dated 04.01.2021 attested on 08.01.2021, be filed in the Registry of this Court within one week. 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 08, 2021
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(LISA GILL)
JUDGE

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