

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

**CM-673-CII of 2021 in/and
FAO No. 7461 of 2017(O&M)**

Date of Decision: 28.01.2021.

Hari Chand

..... Appellant.

Versus

Asru and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gaurav Singla, Advocate
for the non-applicant-appellant.

Mr. Rajneesh Malhotra, 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-673-CII of 2021 is for preponement of hearing of the main appeal i.e., FAO No. 7461 of 2017 from 15.03.2021 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.

At request of learned counsel for the parties, hearing of the matter is preponed from 15.03.2021 for today itself.

This appeal has been filed by the appellant-claimant seeking enhancement of compensation awarded to him by the learned MACT, Palwal vide award dated 09.03.2017, on account of injuries received by the appellant in a motor vehicle accident. Sum of Rs. 3,01,149/- has been awarded by the learned

Tribunal.

It is submitted that during pendency of this appeal, in which notice was otherwise yet to be issued, 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.3,45,000/- over and above the amount awarded by learned tribunal, Palwal vide impugned award dated 09.03.2017, shall be handed over to the appellant. Learned counsel submit that it is due to an inadvertent error, amount of Rs.3,25,000/- is mentioned in the application. The amount is clearly reflected as Rs.3,45,000/- in communication dated 12.01.2021, Annexure A-1. Learned counsel for the Insurance Company submits that an account payee cheque of Rs.3,45,000/- shall be handed over to the appellant with three weeks.

Keeping in view the facts and circumstances as above CM No. 673-CII of 2021, is allowed and FAO No. 7461 of 2017 is disposed of in terms of the abovesaid settlement arrived at between the appellant-claimant and respondent-Insurance Company. It is directed that account payee cheque of Rs.3,45,000/- be handed over to the appellant-claimant within three weeks 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. Copy of this order be conveyed to the appellant-claimant at the given address.

January 28, 2021
's.khan'

(LISA GILL)
JUDGE

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