IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM-10817-CII of 2020 in/and
FAO No. 4043 of 2014(O&M)
Date of Decision: 08.03.2021.

Baljinder Singh and others

..... Appellants.

Versus

ICICI Lombard Insurance Company Limited and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Rajbir Singh, Advocate
for applicant-respondent no.1.

Mr. A.K.Sharma, Advocate
for non-applicant-appellants.

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LISA GILL, J.

CM-529-CII of 2021.

Prayer in this application is for placing on record affidavit of the appellants.

Affidavits dated 16.01.2021 executed by the appellants in respect to the compromise are taken on record subject to just exceptions.

Application is accordingly disposed of.

CM-10817-CII of 2020 in/and FAO No. 4043 of 2014.

Prayer in CM-10817-CII of 2020 is for preponement of hearing of the main appeal i.e., FAO No. 4043 of 2014 from 07.05.2021 and for disposal thereof in terms of the compromise arrived at between applicant-respondent no.1-Insurance Company and the non-applicant-appellants.

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

Learned counsel for the appellant-claimants affirms and verifies the factum of settlement between the parties.

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At request of learned counsel for the parties, hearing of the matter is preponed from 07.05.2021 for today itself.

This appeal has been filed by the appellant-claimants seeking enhancement of compensation awarded to him by the learned MACT, Patiala vide award dated 16.05.2013, on account of death of Mandeep Singh in a motor vehicle accident. Sum of Rs. 6,90,000/- 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-claimants and respondent no.1-Insurance Company. It is agreed that a sum of Rs.6,20,000/- over and above the amount awarded by learned tribunal, Patiala vide impugned award dated 16.05.2013, shall be handed over by the Insurance Company to appellants. It is submitted that the said amount has already been disbursed to the appellants, which is detailed as under:-

"1. Baljinder Singh son of Lakhmir Singh Rs.1,00,000/-.
2. Jaspal Kaur wife of Baljinder Singh Rs.1,00,000/-.
3. Jasmeen Kaur minor daughter of late Mandeep Singh Rs.2,10,000/-
4. Meetinder Singh minor son of late Mandeep Singh Rs.2,10,000/-."

The amount stands encashed by the appellants. Learned tribunal, it is submitted has not awarded any amount to respondent no.6, who had separated herself from the family of the deceased-Mandeep Singh. No appeal has been filed by respondent no.6, challenging Award dated 16.05.2013.

Keeping in view the facts and circumstances as above CM No. 10817-CII of 2020, is allowed and FAO No. 4043 of 2014 is disposed of in terms of the settlement arrived at between the appellant-claimants and respondent-Insurance Company. Copy of this order be conveyed to the appellant-claimants at

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the given address.

(**LISA GILL**)
March 08, 2021 **JUDGE**
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No

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