

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

**CM-1889-CII-2022 in/and
FAO-139-2014 (O&M)
Date of decision : 03.03.2022**

Ram Bhateri and ors

...Applicants/ Appellants

Versus

Suresh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.Tanmoy Gupta, Advocate
for applicants/appellants.

Mr.Subhash Goyal, Advocate
for applicant-respondent No.2/ Insurance Company.

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MAHABIR SINGH SINDHU, J.

CM-1889-CII-2022

Joint application for disposal of the main appeal in terms of oral
settlement arrived at between the parties.

For the reasons stated in the application, the same is allowed
and on oral request of both sides, main appeal is taken up on board today
itself.

MAIN CASE:

Present first appeal has been filed against the award dated
23.07.2013 passed by learned Motor Accident Claims Tribunal, Gurgaon.

As per averment made in para 2 of the application, the matter
has been compromised between the parties.

It transpires that it is a joint application signed by both the
learned counsel supported by an affidavit of Suryadeep Singh Thakur, Area

Manager, Legal, Reliance General Insurance Company Limited and Paras
2, 3 & 4 of the application read as under:-

“2. That it is further respectfully submitted that the parties have amicably settled the matter and have arrived at mutual consensus that the claimants/ appellants would be satisfied, if the compensation is enhanced to the tune of Rs.6,40,000/- (Six lakh forty thousand only) under all heads of compensation including interest component, towards full and final settlement of claim in the present appeal, over and above the amount already awarded by the learned Tribunal.

3. That in view of the aforesaid settlement between the parties, the present appeal may be disposed off with a direction that the respondent insurance company to pay the enhanced amount of compensation of Rs.6,40,000/- (Six Lakh Forty Thousand Only) will be paid over and above the awarded amount in full and final settlement of the award.

4. That the said amount of Rs.6,40,000/- (Six Lakh Forty Thousand Only) shall be paid as full and final settlement and without any further interest or costs. The applicant/ Insurance Company is ready to deposit the cheque for sum of Rs. Rs.6,40,000/- (Six Lakh Forty Thousand Only) as per the directions issued by this Hon'ble High Court.”

Perusal of the extracted portion of the joint application clearly reveals that matter has been amicably settled between the parties and respondent No.2-Reliance General Insurance Company shall pay an amount of Rs.6.40 lacs (Rupees Six lakhs forty thousand only) over and above the amount of compensation awarded by learned Tribunal within 04 weeks from the receipt of certified copy of the order. Even before this court

also, both sides, through their respective counsel, acknowledged the factum of above settlement as duly authorized by the parties.

As a result thereof, there is no option except to allow the appeal in terms of the settlement arrived at between the parties.

Ordered accordingly.

03.03.2022
sanjay

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes/No
Whether Reportable:	Yes/No