

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.2503 of 2022 (O&M

Decided on : 07.11.2023

Bimla and Ors.

.....appellants.

VERSUS

Satyavir and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vimal Thakur, Advocate for
Mr.Mr. P.S. Chauhan, Advocate
for the applicants-appellants.

Mr. Punit Jain, Advocate
for respondent No.3-Insurance Company.

SANJAY VASHISTH , J (ORAL)

1 On 06.10.2023, the following order was passed by this Court:-

“CM-18343-CII-2023

1. This is an application for fixing the actual date of hearing in the main appeal i.e FAO-2503-2022.
2. Counsel for the applicants/appellants submits that without any actual date of hearing, FAO-2503-2022 is listed for is hearing at regular Board No. 1771 of this Court. Thus, prayer for fixing some actual date of hearing is made.
3. Notice in the application to the non-applicants/repondents and same is accepted by Mr. Punit Jain, Advocate for respondent No-3 i.e. Insurance Company and he does raise any objection in allowing the payer made in the application.
4. Accordingly, application is allowed and the present appeal is ordered to be listed for its hearing for 06.10.2023 i.e. for today itself.

CM-18342-CII-2021

1. This is an application filed by the applicants-appellants for final disposal of the present appeal i.e. FAO-2503-2022 as the issue regarding the enhancement of amount of compensation has been settled with the Insurance Company, outside the Court.

- 2. Counsel for the applicants/appellants submits that insurance company has agreed to pay an enhanced amount of Rs.3,10,000 over and above the amount already awarded by learned MACT, Rewari.
- 3. Notice in the application to the counsel for non-applicants/respondents and the same is accepted by Mr. Punit Jain, Advocate for respondent No.3- Insurance company.
- 4. Counsel for respondent No.3 prays for some time to seek necessary Instructions in regard to the prayer made in the application.
- 5. He also submits that if the averments made in the application are found to be correct, he would bring demand draft of the amount as stated in the application, on the next date of bearing
- 6. Adjourned to 07.11.2023.
- 7. To be shown in urgent list.”

2 Today, counsel appearing on behalf of applicants-appellants submits that a demand draft amounting to Rs.3,10,000.- bearing No.942519 dated 15.10.2023 of HDFC Bank, has been handed over to him by Sh.Punit Jain, counsel for Insurance Company. A photocopy of the demand draft is produced and the same is taken on record.

3 Counsel for the applicants-appellants submits that in view of the submissions addressed and recorded on 06.10.2023 and having received the demand draft of the settled amount, he has no further claim in the appeal filed by the applicants-appellants. Therefore, he submits that appeal may be disposed of accordingly.

4 Taking note of the facts and submissions recorded in order dated 06.10.2023 and the statement given by counsel for the appellants before this Court, the present appeal is disposed of having been settled by the claimants with the Insurance Company.

5 This order shall also dispose of CM No.18342-CII-2023.

(SANJAY VASHISTH)
JUDGE

07.11.2023

jyoti3

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