

FAO-2579-2022

- 1 -

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

FAO-2579-2022

Decided on : 30.10.2023

Varinder Singh Jaswal

. . . Appellant(s)

Versus

Sarbjot Singh and another

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ravinder Arora, Advocate
for the appellant(s).

Mr. Baljinder Singh and
Mr. Mukul Khatri, Advocate, for respondent No.1.

Mr. Sagar Anand, Advocate for
Mr. Punit Jain, Advocate, for respondent No.2 – Insurance Co.

SANJAY VASHISTH, J. (Oral)

1. On 12.10.2023, following order was passed:-

“FAO-2579-2022

Counsel for the appellant submits that there is a full and final settlement between the appellant and the insurance company that if total enhanced amount of Rs.3,50,000/- is paid to the appellant, he would not pursue with the proceedings of the present appeal and the same can be disposed of, thereafter.

Counsel for respondent No.2 prays for some time to seek instructions in this regard and submits that if, the submissions addressed by counsel for the appellant is found to be correct, he would come present in the Court with the assured amount of Rs.3,50,000/- by way of demand draft, on the next date of hearing.

Adjourned to 30.10.2023.

However, it is clarified that in case, submission addressed by counsel for the appellant is found to be unacceptable by the insurance company, on the next date of hearing, appeal would be heard on merits for its final disposal.

To be shown in the urgent list.”

2. Today, Mr. Ravinder Arora, learned counsel for the appellant,

FAO-2579-2022

- 2 -

submits that in response to the previous order dated 12.10.2023, a Demand Draft bearing No. “394434”, dated 19.10.2023, of Standard Chartered Bank, for an amount of Rs.3,50,000/-, has been handed-over by learned counsel for respondent No.2 - Insurance Company, in the Court today. Photocopy of the said demand draft is also produced, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

3. In view of the fact that in the order dated 12.10.2023, in the main appeal, factum of full and final settlement between the parties, subject to the payment of Rs.3,50,000/- is recorded, coupled with the fact that today, learned counsel for the appellant/claimant is making statement that he is fully satisfied that the enhanced amount of Rs.3,50,000/-, over and above, the amount awarded by the learned Tribunal, which has been paid to him. Therefore, he seeks withdrawal of the present appeal being fully satisfied with the settlement and payment made therein by the Insurance Company.

4. In view of the statement made here-above, present appeal is disposed of being withdrawn.

(SANJAY VASHISTH)
JUDGE

October 30, 2023

J.Ram

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