

126+298 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-4389-CII-2023 in/and FAO-4319-2022
Date of Decision : 24.03.2023

Poonam and others ...Appellants

versus

Sanjiv and othersRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Vinod Gupta, Advocate for
Mr. Mayank Gupta, Advocate for the appellants.

Mr. G.S. Phull, Advocate for
Mr. Ramneet Kaur Nijjar, Advocate for respondent No.3.

B.S. Walia, J. (Oral)

1. Appeal has been filed by the appellants / claimants seeking enhancement of compensation awarded by the Motor Accident Claims Tribunal, Karnal, on account of death of Parveen Kumar, in a motor vehicular accident.

2. Joint application has been moved for disposal of the appeal on the basis of mutual/amicable settlement between the parties, as per which the appellants have accepted a sum of Rs.3,20,000/- as full and final settlement of the claim. In support of the application, learned counsel for the appellants has also filed an affidavit that amount of Rs.3,20,000/- referred to in the application is over and above the amount of compensation of Rs.16,23,917/- awarded by the Tribunal. The affidavit is taken on record. Copy thereof supplied to learned counsel for respondent No.3/Insurance Company.

3. Learned counsel for respondent No.3 confirms that the

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settlement for payment of Rs.3,20,000/- is by way of additional compensation payable to the appellants over and above the compensation of Rs.16,23,917/- awarded by the Tribunal along with interest and that the additional amount of Rs.3,20,000/- was be released to the appellants within one month.

4. In view of the position noted above, the application is allowed and appeal is dismissed as withdrawn while directing respondent No.3/Insurance Company to adhere to the assurance held out by him in Court today and to release payment of Rs.3,20,000/- over and above the amount already awarded by the Tribunal, within one month from today. Needless to mention, in case needful is not done within the stipulated period of time, the appellants would be at liberty to move an application for revival of the instant appeal.

(B.S. Walia)
Judge

24.03.2023
rajesh

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