

DAILY LOK ADALAT

BENCH NO.3

FAO NO.5740 OF 2011

508

SHEELA & ORS. V/S JAGBIR & ORS.

Present: Mr. RK Chaudhary, Advocate
for the appellants.

Mr. Rajneesh Malhotra, Advocate
for ICICI Lombard GIC.

* * * *

Sheela and others filed a claim petition, which was disposed of by the learned tribunal vide award dated March 17, 2011.

Two appeals were preferred against the award of the learned MACT; one by Ashok Kumar-Driver of the Offending Vehicle and the other by Sheela and others, the claimants.

The appeal preferred by Ashok Kumar, was disposed of by this Court vide order dated February 23, 2016 and while disposing of this appeal, the Hon'ble Judge considered the claimants' appeal also and enhanced the compensation, and the claimants, Sheela and others have admittedly received the enhanced compensation under the order of this Court dated February 23, 2016.

However, inadvertently, the appeal of Sheela and others, the claimants was not disposed of along with this appeal and continuous to remain pending. Since the claim of Sheela and others was discussed and amount of compensation was enhanced in the appeal of Ashok Kumar, the appeal of the claimants has been rendered infructuous and is disposed of, accordingly and further enhancement of compensation is not payable on any account whatsoever.

A copy of this order be given to learned counsel for the parties.

(G.C. GARG)
PRESIDENT

(K.C. GUPTA)
MEMBER

24.07.2023

NainaRajput