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

FAO No. 8663 of 2015 (O&M)

Date of Decision:04.07.2023

Sukhjinder Singh @ Sonu and another

... Appellants

Versus

Raj Kumar @ Raju and others.

... Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Mukul Ahuja, Advocate for
Mr. Navmohit Singh Advocate for the appellants.

Mr. Gagandeep Singh Manku Advocate
for respondent Nos. 1 to 3.

Mr. Yashwir Kharb, Advocate
(Court Guardian) for respondent No.4.

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SANJIV BERRY, J.

Mr. Gagandeep Singh Manku, Advocate has put in appearance on behalf of respondent Nos. 1 to 3 and filed Power of Attorney. The same is taken on record.

2. Report of Mediator dated 04.04.2022 has been received whereby the statements of the parties as regards the compromise dated 10.02.2022 (Annexure P-1) has been recorded in compliance of the order dated 22.03.2022 passed by this Court.

3. The Mediator had recorded the statements of Sukhjinder Singh-

appellant No.1, Charan Singh-appellant No.2, Raj Kumar @ Sanjeev Kumar-respondent No.1, Ravinder Kaur-respondent No.2, Sapna-respondent No.3 and Kajal-respondent No.4, who have in their statements had categorically admitted the genuineness of the compromise dated 10.02.2022 (Annexure P-1) having been effected between the parties whereby they have settled the matter for all times to come for a lump sum of ₹5,90,000/- out of which the respondents-claimants had already received ₹2,90,000/- and the balance amount of ₹3,00,000/- will be paid by 19.04.2022. The respondents-claimants have no objection, if the present FAO No. 8663 of 2015 is disposed of in terms of said compromise having been effected with their free will and without any coercion or pressure.

4. The instant appeal has been preferred by the aforesaid appellants against the impugned award dated 08.10.2015 passed by Id. Motor Accident Claims Tribunal, Jalandhar, whereby the claimants (i.e present respondents) were awarded compensation amounting to ₹7,37,000/- along with interest @7.5% per annum to be paid by respondents No.1 and 2 (i.e present appellants). During the pendency of the appeal, a compromise Annexure P-1 was effected between the parties on 10.02.2022 and the matter was referred to Mediation and Conciliation Centre of this Court for getting the statements of the parties recorded qua the genuineness of the compromise and the parties as stated above have admitted the genuineness of the compromise effected with their free will and without any coercion.

5. Learned counsel for the parties are at *ad idem* that since the parties have affected the compromise (Annexure P-1) and the payment of ₹5,90,000/- have already been made to the claimants in terms of the

compromise, as such they have prayed for disposal of the present appeal in terms of the compromise dated 10.02.2022.

6. Keeping in view the facts and circumstances of the present appeal, the same is hereby disposed of in terms of the compromise (Annexure P-1) dated 10.02.2022 effected between the parties and keeping in view the statements of the parties recorded before the Mediator in Mediation and Conciliation Centre of this Court, thereby modifying the award dated 08.10.2015 to lumpsum amount of ₹5,90,000/- and the parties shall remain bound by the terms of aforesaid compromise.

7. The petition stands disposed of accordingly.

8. CM application(s), if any, shall also stands disposed of.

(SANJIV BERRY)
JUDGE

04.07.2023

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No