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

CM-17709-CII-2023,
CM-13048-CII-2023 in/and
FAO-6416-2017 (O&M)
Date of Decision :- 12.10.2023

Krishna Devi and another

....Appellants

Vs.

Navdeep Singh and others

...Respondents

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vishwajit Bedi, Advocate
for the appellants.

Mr. Sachin Gupta, Advocate
for respondent No. 3 – Insurance Company.

AMARJOT BHATTI, J. (Oral)

CM-17709-CII-2023

This is an application filed by learned counsel for the appellants under Section 151 CPC for placing on record the affidavit of legal heirs of Krishna Devi and Kamaljeet as Annexures A-1 to A-3.

For the reasons enumerated in the application, the same is allowed. Accompanied documents Annexures A-1 to A-3 are taken on record.

CM-13048-CII-2023 in/and FAO-6416-2017 (O&M)

The learned counsel for appellants as well as insurance company have filed application under Section 151 C.P.C. for early hearing and for recording the compromise effected between the parties. It is pointed out that the appellants Krishna Devi (now represented through legal heirs) and Kamaljeet had filed appeal against impugned Award dated 03.05.2017

passed by learned Motor Accident Claims Tribunal, Ludhiana vide which

the compensation was awarded to the tune of Rs. 21,87,000/- along with interest at the rate of 7.5% per annum, as detailed in the Award. Now the insurance company has settled the matter with the appellants and they have agreed to make payment of Rs. 90,000/- in the name of appellants/claimants in equal share within a period of four weeks from the passing of order by this Court. Along with this application, there is affidavit of Aditya Sharma, Manager Legal, ICICI Lombard General Insurance Company Limited as well as the affidavit of counsel for the appellants. During this period, Krishna Devi one of the appellant expired and her legal heirs were impleaded as party in this case. The legal heirs namely Gagandeep Singh, Nirmaljit Kaur and Ramandeep Kaur have filed their respective affidavits Annexures A-1 to A-3, accepting the compromise and gave their no objection if the entire amount is released in favour of their father Kamaljeet.

In view of the aforesaid compromise, the impugned Award dated 03.05.2017 passed by learned Motor Accident Claims Tribunal, Ludhiana stands modified and as per their compromise, the insurance company is directed to deposit a sum of Rs. 90,000/- over and above the amount awarded by the Tribunal within four weeks from today in favour of Kamaljeet – appellant/claimant No. 2.

The present appeal stands disposed of in view of the aforesaid compromise.

Pending application(s), if any, also stands disposed of.

12.10.2023

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No