

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

113

CWP-21961-2023 (O&M).
Date of Decision: 03.10.2023.

ANAND

.. Petitioner

Versus

MOTOR ACCIDENT CLAIMS TRIBUNAL, HISAR AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Narender Kaajla, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the order dated 13.05.2023 (Annexure P-3) passed by the Lok Adalat, whereby a compensation to the tune of Rs.1,60,000/- has been awarded on account of the injuries sustained in a motor vehicle accident in terms of the compromise arrived at between the petitioner and the Insurance Company.

Learned counsel appearing on behalf of the petitioner contends that the settlement arrived at is meager and does not take into consideration 25% that the petitioner has suffered a disability to the extent of 25%.

I have heard the learned counsel appearing on behalf of the petitioner and have gone through the documents appended with the paper book.

It is not in dispute that the settlement so arrived at between the parties is voluntary. The petitioner having entered into a settlement before

the Lok Adalat and which such settlement is not beyond the Authority conferred upon the Advocate representing the petitioner cannot be permitted to wriggle out of the binding obligation created by the settlement executed. to A litigant cannot be allowed to wriggle out of the binding agreement. Besides, there is no allegation of fraud, mis-representation or coercion to enter into such settlement. As per the provisions of the Legal Services Authorities Act, 1987, the award under such circumstances would become binding and cannot be reopened by merely alleging that compensation agreed upon by the counsel appearing on behalf of the petitioner is insufficient. The settled issues cannot be permitted to be reopened on such pleas.

The present petition is accordingly dismissed.

October 03, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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