

CMs-2258-CII-2020 and 10287-CII-2021 in/and RA-CR-22-2020
in FAO-3597-2009

Harmail Singh and another
Vs.
Mandeep Singh and others

Present : None for the applicant/respondent No.4
in CM-2258-CII-2020 and RA-CR-22-2020.

Mr. Rishabh Gupta, Advocate,
for non-applicant/claimant No.2.

CM-10287-CII-2021

Since appellant No.1 is stated to have died during the pendency of the appeal, therefore, the entire amount of compensation can be paid to appellant No.2 Surinder Kaur, after verifying the death of appellant No.1.

Application is, accordingly, disposed of.

CM-2258-CII-2020

For the reasons stated in the application, duly supported by an affidavit, delay of 19 days in filing the review application is condoned.

Application is, accordingly, allowed.

RA-CR-22-2020

1. This is an application filed by respondent No.4 – National Insurance Company seeking review of the order dated 25.09.2019 passed by this Court.

2. The case of the applicant/respondent No.4 is that despite the fact that the deceased was granted reimbursement of the medical expenses by his employer, vide order dated 25.09.2019 passed by this Court, his parents (claimants) were awarded a sum of Rs. 4,50,000/- towards medical expenses.

3. Learned counsel for the non-applicant/claimant No.2 cites a decision of this Court in **Manoj Kumar Yadav Vs. Azad and others, 2015 (3) PLR 211**, to contend that the amount of medical reimbursement granted by the employer cannot be deducted from the claim awarded under the Motor Vehicles Act, 1988.

4. After hearing learned counsel for non-applicant/claimant No.2, this Court is of the considered opinion that compensation towards medical expenses has rightly been awarded to the claimants. Hence, no case is made out to review the order dated 25.09.2019 passed by this Court.

5. Review application is, accordingly, dismissed.

(RITU BAHRI)
ACTING CHIEF JUSTICE

January 12, 2024
ndj