

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.2865 of 2023 (O&M)

Date of Order:29.04.2024

Inaya alias Inaya Kamboj and another

.Petitioners

Versus

Jatinder Kumar Sain and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Piyush Setia, Advocate
for the petitioners.

ANIL KSHETARPAL, J

1. The petitioners filed a claim petition before the Motor Accident Claims Tribunal, which was allowed on 12.03.2020, while directing the Insurance Company to pay the amount of Rs.20,07,600/- within a period of two months. The amount was deposited on 02.07.2020. The Executing Court has dismissed the execution petition on the ground that at the relevant time due to Covid-19, the working of the courts had come to a stand still and therefore, the period for deposit of the amount will be deemed to have been extended.

2. The learned counsel representing the petitioners contends that as per the award passed by the Motor Accident Claims Tribunal, the amount was payable within a period of two months from the date of award failing which the claimants were entitled to recover the amount along with the interest @ 9% per annum from the date of claim petition till its realization. He submits that in absence of any application by the Insurance Company in this regard, the court has wrongly extended the period for deposit of the amount.

3. 'Covid-19 pandemic' created an unprecedented situation in which almost every institution and its efficient working had come to stand still. The petitioners have not proved that there was any intentional delay on the part of the Insurance Company to deposit the amount.
4. Keeping in view the aforesaid facts, the opinion formed by the Tribunal does not require interference.
5. Hence, dismissed.
6. All the pending miscellaneous applications, if any, are also disposed of.

April 29, 2024
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO