



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.123-3

FAO-6629-2012

Date of Decision: 20.12.2024

PUSHVINDER

....Appellant

Versus

INDER JEET AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Dinesh Mahajan, Advocate for
Mr. J.P. Sharma, Advocate
for the appellant.

None for respondents No.1 to 3.

Mr. Sachin Ohri and Mr. Sachin Gupta, Advocates
for respondent No.4-ICICI Lombard Motor Insurance Co. Ltd.

None for respondent No.5.

Mr. Nigam K. Bhardwaj, Advocate
for respondent No.6-Reliance General Insurance Co. Ltd.

ARCHANA PURI, J. (Oral)

There is no representation on behalf of respondents No.1 to 3
and 5, despite service. As such, they are proceeded against *ex parte*.

At this stage, it is submitted that compromise has been effected
between the appellant, as well as respondent No.4-ICICI Lombard Motor
Insurance Company Limited and the said Insurance Company has agreed to
pay an amount of Rs.1,50,000/-, over and above the awarded amount of
Rs.99,613/-, earlier granted by the Tribunal, wherein, the apportionment of
the liability was fastened upon both the insurance companies, apart from the
driver and owner, to the extent of 50% each. However, the said amount has
already been received by the appellant, as apprised by the counsel appearing



today.

Now, an amount of Rs.1,50,000/-, is agreed to be paid by respondent No.4-ICICI Lombard Motor Insurance Company Limited, over and above the awarded amount, which is acceptable to the counsel appearing on behalf of the appellant. Even, respondent No.6-Reliance General Insurance Company Limited, who is the insurer of the other vehicle involved in the accident, has no objection to the aforesaid terms of compromise.

Both the counsel, representing the insurance companies submit that they have no objection, if the FAO is accepted, on the basis of the compromise and Rs.1,50,000/- is ordered to be paid by respondent No.4-ICICI Lombard Motor Insurance Company Limited, since the liability is joint and several with other respondents.

In view of the aforesaid consensus reached between the parties, the FAO is accepted and it is ordered that an amount of Rs.1,50,000/-, over and above the awarded amount, be paid to the appellant by respondent No.4-ICICI Lombard Motor Insurance Company Limited, within a period of six weeks.

In the eventuality of amount not paid within the stipulated period, respondent No.4 shall be liable to pay penal interest @ 6% per annum, till realization.

Accordingly, the FAO stands disposed of.

20.12.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No