



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

103+212

FAO-1616-2015 (O&M)

Date of Decision: 13.09.2024

Shri Ram Genral Insurance Company Ltd.

...Appellant

Versus

Rajo and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Rampal Kohli, Advocate for
Mr. Tajender K. Joshi, Advocate, for the appellant.

None for respondent Nos.1 to 6.

VIKAS SURI, J. (ORAL)

CM-15639-CII-2024

This is an application under Section 151 CPC praying for withdrawal of the appeal preferred by the appellant-insurance company aggrieved by award dated 16.07.2014 passed by learned MACT, Sonapat and for refund of the statutory amount deposited in terms of Section 173 of the Motor Vehicles Act, 1988.

It is pleaded that the appellant-insurance company has reviewed the present appeal in the light of the law settled by the Apex Court, during the pendency of the same and has decided to withdraw it. As decision on merits is not sought, further prayer is for refund of the statutory amount of Rs.25,000/- to the appellant, which was deposited with this Court on 13.02.2015 at the time of institution of the appeal. It is further stated that



the appellant has since complied with the award dated 16.07.2014 and as on date, no amount is pending to be paid to the claimants. A perusal of the record would show that an amount of Rs.25,000/- was deposited on 13.02.2015 by way of bank draft bearing No.028457 dated 23.01.2015 and there is no endorsement of the said amount having been remitted to the concerned Tribunal.

For the reasons set out in the application, supported by affidavit, the same is allowed.

CM stands disposed of.

FAO-1616-2015 (O&M)

- 1. Dismissed as withdrawn.
- 2. The statutory amount of Rs.25,000/- deposited for maintaining the present appeal be refunded to the appellant-insurance company as per rules.
- 3. Pending applications, if any, also stand disposed of.

September 13, 2024
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(VIKAS SURI)
JUDGE

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