



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.131

FAO-1207-2016 (O&M)
Date of Decision: 12.09.2024

GURDIP SINGH

....Appellants

Versus

SARABJIT KAUR AND OTHERS

....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sandeep Wadhawan and Mr. Gurjot Singh, Advocates
for the appellant.

Mr. J.S. Thind, Advocate, for
respondents No.1 to 4.

ARCHANA PURI, J. (Oral)

Mr. J.S. Thind, Advocate, who was earlier representing
respondents No.1 to 3, has filed Power of Attorney on behalf of legal
representatives of respondent No.4 and the same is taken on record.

Mr. S.S. Panag, Advocate, has made appearance on behalf of
respondent No.5 and filed Power of Attorney, which is taken on record.

CM-13842-CII-2024

The present application has been filed at the instance of the
applicant, for impleadment of legal representatives of respondent No.4-
Dalbir Kaur (since deceased).

The application is supported by an affidavit of Gurdip Singh-
appellant, who is the owner of the offending vehicle.

Today, Mr. J.S. Thind, Advocate, has made appearance on
behalf of the proposed legal representatives, as detailed in the amended



FAO-1207-2016 (O&M)

memo of parties, annexed with the application.

In view of the averments made in the application, same is allowed and besides Sarbrinder Kaur, daughter of Dalbir Kaur, the other children of the deceased children of Dalbir Kaur, as detailed in paragraph No.4 of the application, are hereby impleaded as legal representatives of Dalbir Kaur.

Amended memo of parties is taken on record.

Accordingly, the application stands disposed of.

CM-13857-CII-2024

The present application has been filed for disposal of the main appeal, in view of the compromise dated 02.08.2024, reached between the parties.

Effecting of the compromise, as such, is not disputed by any of the counsel making appearance on behalf of the parties to the lis. The compromise is also signed by the parties concerned.

In view of the averments made in the application same is allowed and the main appeal is taken up.

Main case

As per the compromise dated 02.08.2024, the owner of the offending vehicle, namely, Gurdip Singh, has to pay an amount of Rs.16,00,000/-, as full and final payment, with regard to death of Gurbinder Singh, in a motor vehicular accident.

Perusal of the record reveals that Sarabjit Kaur, widow of Gurbinder Singh, Sargundee Kaur, Harguneet Singh (minor) and Dalbir Kaur, widow mother of the deceased, had filed the claim petition and consequently, they have also filed the appeal i.e. FAO-1207-2016. Also, it



FAO-1207-2016 (O&M)

is evident that during the pendency of the FAO, Dalbir Kaur had died and today, while disposing of the application i.e. CM-13842-CII-2024, legal representatives of Dalbir Kaur have been impleaded. Even, the counsel has made appearance on behalf of the legal representatives of Dalbir Kaur. Keeping in view the dependents, who had filed the claim petition, at first instance and also the subsequent appeal, the amount settled between the parties, as per the compromise, is bifurcated in equal share to the extent of Rs.4,00,000/- each to all the appellants, inclusive of Dalbir Kaur (since deceased).

In the given circumstances, after this apportionment made, the share of Dalbir Kaur shall be further disbursed to the legal representatives, Sarbrinder Kaur, Sarabjit Kaur, Sargundee Kaur and Harguneet Singh and Parmod Singh, in equal share, which comes to the extent of Rs.80,000/- each.

In the light of the aforesaid apportionment, the amount due towards Sarabjit Kaur, Sargundee Kaur and Harguneet Singh, comes to be 4,80,000/- each. Two children were minor, and one has attained majority. The cheques relating to the minor children, namely, Harguneet Singh, be issued in his name, through his natural guardian i.e. mother, Sarabjit Kaur.

In the light of the aforesaid, requisite cheques of the amount of Rs.4,80,000/- each, in favour of Sarabjit Kaur, Sargundee Kaur and Harguneet Singh, have been handed over to the counsel for the claimants. Even, two cheques of the amount of Rs.80,000/-, which relate to the apportioned share of Dalbir Kaur, have been handed over to Sarbrinder Kaur and Parmod Singh. Photostat copies of the said cheques are retained on the record.



In view of the compromise reached between the parties and in view of the cheques being handed over, the counsel for the appellant submits that he does not want to pursue with the present appeal and the same may be disposed of in view of the compromise.

In view of the aforesaid compromise between the parties to the lis and also keeping in view the compliance of the terms of the compromise having made, the present appeal is disposed of, being compromised.

12.09.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No