

103. 2024:PHHC:042342
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No.5090-CII-2024 in
FAO No.9223 of 2014
Date of decision: 22.03.2024

Renu Appellant
Versus
Yash Pal and others Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Rakesh Dhiman, Advocate,
for the appellant (through Video Conferencing).

Mr. Abhimanyu Batra, Advocate,
for the applicant-respondent No.3.

GURBIR SINGH, J. (Oral)

CM No.5090-CII-2024

1. Prayer in this application filed under Section 151 CPC by respondent No.3-Insurance Company is for disposal of present appeal on the ground that the matter has been amicably settled between the parties.
2. Notice in the application.
3. Mr. Rakesh Dhiman, Advocate, has caused appearance on behalf of non-applicant/appellant through video conferencing. Copy of the application has already been received by him on 14.03.2024.
4. The application is allowed and with the consent of counsel for the parties, hearing in the main case which is fixed for 21.04.2024 is preponed and the same is taken up for hearing today itself.

FAO No.9223 of 2014

1. Learned counsel for respondent No.3 submits that the Insurance Company is ready to pay Rs.7,50,000/- as full and final

settlement of claim over and above the amount already awarded by the Tribunal. He along with authorized representative of Insurance Company undertakes that the enhanced amount will be paid within a period of eight weeks and if not paid within that period, interest @ 9% per annum will be paid from the date of settlement till date of its realization.

2. Learned counsel for the appellant submits that the appellant agrees to the proposal made by the respondent-Insurance Company and the award be enhanced accordingly.

3. Considering the fact that the parties have settled the matter and the amount of award has been enhanced at Rs.7,50,000/- as full and final settlement of claim over and above the amount of Rs.4,39,386/- already awarded by the Motor Accident Claims Tribunal, Gurgaon, vide its award dated 11.11.2013 and the said amount shall be paid/deposited in the account of claimant within eight week from today, failing which, interest @ 9% per annum shall be paid on the enhanced amount from today till realization of the amount, so, this appeal is disposed off that enhanced amount shall be paid to the appellant-claimant as per proposal. Award passed by the Tribunal is modified accordingly.

(GURBIR SINGH)
JUDGE

March 22, 2024

sanjeev

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No