

CR-5717-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Sr. No.141

CR-5717-2023

Date of Decision: 08.04.2024

UNITED INDIA INSURANCE COMPANY LIMITED

....Petitioner

Versus

JOGINDER SINGH AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Vinod Gupta and Mr. Mayank Gupta, Advocates,  
for the petitioner-Insurance Company.

Ms. Prerna Malhotra, legal aid counsel  
for respondent No.1.

\*\*\*\*\*

ARCHANA PURI, J. (Oral)

Heard.

The petitioner has invoked the jurisdiction of this Court under Article 227 of the Constitution of India, for setting aside of the order dated 16.09.2023, passed by learned Executing Court, whereby the petitioner-Insurance Company, had been directed to bring a Demand Draft of Rs.60,000/-.

Initially, the claim petition was filed for seeking compensation, on account of injuries sustained by Joginder Singh and Atma Ram, whereby learned Tribunal had granted compensation to Joginder Singh to the extent of Rs.1,03,593/- and Rs.2,05,000/- was granted as compensation to Atma Ram, along with the interest component.

Now, it is submitted by learned counsel that the amount awarded by learned Tribunal was deposited before learned Executing Court,

CR-5717-2023

except the amount of Rs.25,000/-, which were the statutory amounts, filed together with the appeals i.e. FAO-5027-2008 and FAO-123-2009, which are still pending before this Court to assail the impugned Awards.

In the given circumstances, when the FAOs are already pending, the interest cannot be imposed upon the Insurance Company, with regard to Rs.25,000/- each, which has been deposited as statutory amount in both the appeals. However, after passing of the impugned order, a sum of Rs.30,000/- each, qua the satisfaction of two Awards has already been deposited by the Insurance Company, before learned Executing Court, which fact is also not disputed by learned counsel for respondent No.1.

In the light of the aforesaid, the impugned order is set aside and the amount of Rs.30,000/- each, qua the satisfaction of each Award be disbursed to the claimants, in accordance with law.

In the given circumstances, the petitioner-Insurance Company, shall be entitled to the return of statutory amount of Rs.25,000/-, deposited in each of the aforesaid FAOs, after their decision.

In view of the aforesaid terms, the revision petition stands disposed of.

08.04.2024  
Himanshu

(ARCHANA PURI)  
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No