



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

113

CR-2997-2017 (O&M)

Date of Decision : 14.07.2025

M/s NATIONAL INSURANCE COMPANY LIMITED

.... Petitioner

VERSUS

KANTA DEVI AND ORS

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. R.C. Gupta, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed challenging the order dated 15.02.2017 passed by the learned Motor Accident Claims Tribunal, Chandigarh (hereinafter referred to as the 'Tribunal').

2. On 07.07.2025 the following order was passed :

On the first call the matter was passed-over on the request of learned counsel for the appellant. On the second call, none has put in appearance on behalf of the appellant and the respondents.

Present revision petition has been filed under Article 227 of the Constitution of India challenging the order dated 15.02.2017 passed by the Motor Accident Claims Tribunal, Chandigarh in Execution Application No.405 of 2015.

Vide order dated 13.03.2014 passed by this Court in FAO-2590-1999, the petitioner-Insurance Company was directed to deposit the enhanced amount of compensation to the tune of ₹3,44,980/- within a period of 45 days from the receipt of certified copy of the order. The petitioner-Insurance Company deposited the said amount as directed within a period of 45 days on 23.06.2014, however, the deposit of the amount was not notified to the decree-holder/claimants and the decree-holder/claimants came to know about the amount only on 25.03.2015 when the report came from the Nazir in the execution proceedings. Vide the impugned order dated 15.02.2017 the Tribunal held that since no notice was given to the decree-holder/claimants regarding the deposit, therefore, the order passed by this Court had not been complied with in letter and spirit and the concession which was granted to the petitioner-Insurance Company for not paying the interest subject to making the amount payable to the claimants within a period of 45 days got forfeited. Vide order dated 14.11.2017 the Tribunal had passed the following order :

“As per report of Nazir, an amount of ₹20,982/- has been deposited in this case vide serial No.76 dated 13.10.2017 and RD No.347 dated

17.10.2017. Said amount be disbursed to the decree-holders/claimants, in terms of Award. Counsel for decree-holders made statement for withdrawal of the instant execution application being partly satisfied. As such, instant execution application stands dismissed as withdrawn being partly satisfied. File be consigned to the record room, after due compliance.”

In the interest of justice, adjourned to 14.07.2025.

To be shown in the urgent list’.

3. In view of the order dated 14.11.2017 passed by the Tribunal wherein it has been noticed that an amount of ₹20,982/- has been deposited and has been disbursed to the claimants and in view of the law laid down by the Hon’ble Supreme Court in the case of **Usha Devi & Ors. V/s The New India Insurance Company Limited & Ors. [2020 (1) CivilJ 854]**, this Court does not deem it appropriate to interfere with the impugned order.

4. In view of the above and without going into the merits of the case, the present revision petition is dismissed. Pending applications, if any, also stand disposed off.

14.07.2025

Aman Jain

(ALKA SARIN)

JUDGE

*NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No*