

**Daily Lok Adalat****Bench No.1**

501

FAO-4895-2002

MAMDEEN VS. SHAMSHER SINGH AKA SHERI

Present: Ms. Sukhpreet Kaur, Advocate along with
Mr. Musarat Ali, son of the appellant.

None for the respondent.

Fresh Vakalatnama filed by Ms. Sukhpreet Kaur, Advocate on behalf of
the appellant, with no objection from the previous counsel, is taken on record.

The present appeal has been filed by the claimant-appellant-Mam Deen
seeking enhancement of compensation.

The facts are that the appellant met with an accident on 15.12.1999 and
suffered multiple injuries claiming disability. He filed a claim petition seeking
enhancement of compensation only against Shamsher Singh (driver of the
offending vehicle) also an ex-parte. He was awarded a total compensation of
Rs.99,770/- along with interest @ 9% per annum from the date of filing of the
claim petition vide impugned award dated 15.05.2002 passed by MACT, Patiala.

He preferred the present appeal bearing FAO-4895-2002 seeking
enhancement of compensation.

It transpires that he also filed another claim petition at MACT, Patiala in
relation to the present accident impleading the Insurance Company as well. In that
petition, he was awarded a compensation of Rs.90,000/- vide award dated
13.09.2013 passed by MACT, Patiala. He preferred an appeal bearing FAO-1541-
2014 seeking enhancement of compensation wherein his appeal was allowed on
30.08.2019. The compensation was enhanced to Rs.5,97,600/- i.e. 5,07,600/- more
over and above the amount already awarded by learned MACT i.e. Rs.90,000/-.

Thus, It transpires that the claimant has filed two claim petitions, which were decided separately. It also transpires that when FAO-1541-2014 decided on 30.08.2019, the pendency of the present appeal i.e. FAO-4895-2002 was not brought into the notice of this Hon'ble High Court.

Since the claimant has already been awarded adequate compensation in relation to the accident and his said appeal had already been disposed of by the Hon'ble High Court on 30.08.2019, learned counsel for the appellant, in all fairness, has given a statement that in view of the judgment rendered by Hon'ble High Court passed in FAO-1541-2014 decided on 30.08.2019, relating to present appellant, the present appal be dismissed as infructuous.

Ordered accordingly.

(J.C. VERMA)
PRESIDENT

17.09.2025
Atul

(ARVIND KUMAR)
MEMBER