



XOBJC-36-CII-2006 IN
FAO-4564-2006 (O&M)

-1-

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

**XOBJC-36-CII-2006 IN
FAO-4564-2006 (O&M)
Date of decision:- 07.05.2025**

Smt. Rajni Bala and ors.

...Appellants

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present:- Mr. Pankaj Gupta, Senior Panel Counsel,
for the cross-objectors/respondents.

None for the appellants.

SUDEEPTI SHARMA J. (ORAL)

1. The present cross-objections have been preferred by the cross-objectors/respondents in FAO-4564-2006 filed by the appellants against the award dated 11.05.2005 passed in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988 by the learned Motor Accident Claims Tribunal, Panchkula (for short, 'the Tribunal') for setting aside the award, whereby, compensation was granted to the appellants to the tune of Rs.3,94,000/- along with interest at the rate of 6% per annum, on account of death of Raj Singh @ Raju in a Motor Vehicular Accident, occurred on 19.12.2001.

2. The appeal filed by the appellants/claimants was decided by the Co-ordinate Bench of this Court, vide order dated 03.05.2019. However, no order could be passed on the cross-objections filed by cross-objectors/



respondents, as the cross-objections were not listed before the Bench along with the accompanying appeal at that time.

3. As the sole issue for determination in the present cross-objections is confined to quantum of compensation awarded by the learned Tribunal, a detailed narration of the facts of this case are not required to be reproduced for the sake of brevity.

SUBMISSIONS OF THE COUNSELS FOR THE PARTIES

4. The learned counsel for the cross objectors/respondents contends that the award dated 11.05.2005 passed by the learned Tribunal is contrary to the facts and evidence on record and the same deserves to be set aside. He further submits that the cross-objections were filed by the cross-objectors/respondents within the prescribed time limit but the same were not decided along with the main appeal i.e. FAO-4564-2006, which was decided by this Court on 03.05.2019.

5. Learned counsel for the cross-objectors/respondents is unable to argue the matter, since, at this stage, he is having a photocopy of the cross-objections only and no other record is available with him. Photocopy of the cross-objections supplied by him is taken on record.

6. Today, there is no representation on behalf of the appellants.

7. I have heard learned counsel for the cross-objectors/respondents and perused the whole record of this case.

8. A perusal of the record shows that there is no cross-objections in the file, since this case pertains to the category of fully burnt cases of the year 2006. A perusal of the record further shows that the main appeal i.e.



XOBJC-36-CII-2006 IN
FAO-4564-2006 (O&M)

-3-

FAO-4564-2006, in which these cross-objections were filed by the cross-objectors/respondents, was decided by the Co-ordinate Bench of this Court on 03.05.2019.

9. A perusal of the record further shows that the main appeal i.e. FAO-4564-2006 was filed by the appellants/claimants for enhancement of the compensation awarded by the learned Tribunal and the same was allowed by the Co-ordinate Bench of this Court on 03.05.2019, in the presence of the learned counsel for the cross-objectors/respondents. At that point of time, it was never pointed out by the learned counsel for the cross-objectors/respondents that there are cross-objections also and the liability was accepted. Therefore, at this stage, this Court is unable to decide the cross-objections without any record. Otherwise also, the main appeal i.e. FAO-4564-2006 was decided by the Co-ordinate Bench of this Court on 03.05.2019 in the presence of the cross-objectors/respondents.

10. In view of the above, the present cross-objections are dismissed.

11. Pending application(s), if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

07.05.2025

Virrendra

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No