



FAO-2446-2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(151)

FAO-2446-2025 (O&M)

Date of decision: - 04.08.2025

Liberty General Insurance Company Ltd.

....Appellant

Versus

Pushpender (D) through LRs and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Vishal Aggarwal, Advocate, for the appellant.

VIKAS BAHL, J. (ORAL)

CM-7877-CII-2025

1. This is an application filed under Section 151 CPC for condonation of delay of 85 days in re-filing the present appeal.

2. For the reasons stated in the application, the same is allowed and the delay of 85 days in re-filing the present appeal is condoned.

CM-7878-CII-2025

1. This is an application filed under Section 5 of the Limitation Act with Section 151 CPC for condonation of delay of 28 days in filing the present appeal.

2. For the reasons stated in the application, the same is allowed and the delay of 28 days in filing the present appeal is condoned.

FAO-2446-2025

1. Challenge in the present appeal is to the award dated

20.08.2024 vide which the Motor Accident Claims Tribunal while deciding the MACT-475/2019 titled as “Pushpender through his LRs Vs. Pawan Kumar and others”, had awarded an amount of Rs.22,000/- on account of the injuries to the injured Pushpender, who had subsequently died.

2. Section 173(2) of the Motor Vehicles Act, 1988, provides that no appeal shall lie against an award of a Claims Tribunal in case the amount in dispute is less than one lakh rupees.

3. Learned counsel for the appellant has submitted in view of the same, the appellant be permitted to withdraw the present appeal with liberty to institute an appropriate proceeding in accordance with law. It is further submitted that since the appellant is withdrawing the present appeal, thus, the office of the Registrar of this Court be directed to return the amount of Rs.25,000/- deposited by the appellant at the time of filing of the present appeal.

4. In view of the above, the present appeal is dismissed as withdrawn, with liberty to the appellant to institute an appropriate proceeding in accordance with law.

5. It is made clear that this Court has not opined on the maintainability or otherwise of any such proceeding which the appellant proposes to file and in case any such proceeding is filed, the same would be considered by the concerned Court independently, in accordance with law.

6. The office of the Registrar of this Court would return the



amount of Rs.25,000/-, if deposited by the appellant, to the appellant at the time of filing the present appeal.

August 04, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No