



FAO-4667-2015 (O&M) &
FAO-2794-2015 (O&M)

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

Sr. No.254 (2 cases)

Date of Decision: 17.02.2026

1.

FAO-4667-2015 (O&M)

RUKAIYYA AND ANR

....Appellants

Versus

SAHOON AND ORS

.....Respondents

2.

FAO-2794-2015 (O&M)

AMIN

....Appellant

Versus

RUKAIYYA AND ORS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ashish Gupta, Advocate
for the appellant (in FAO-4667-2015) and
for respondents No.1 and 2 (in FAO-2794-2015).

Mr. Rakesh Dhiman, Advocate
for the appellant (in FAO-2794-2015) and
for respondent No.2 (in FAO-4667-2015).

Mr. PHS Pannu, Mr. Sarthak Mehta and
Ms. Manvi Verma, Advocates
for respondent-Insurance Company.
(in both the appeals).



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ARCHANA PURI, J. (Oral)

CM-3063-CII-2026 in FAO-4667-2015 and CM-3064-CII-2026 in FAO-2794-2015, have been filed for disposal of the pending appeals, as the amicable settlement has reached between the parties.

Before advertng to the terms of compromise, it is pertinent to mention that initially, Rukaiyaa w/o Daud s/o Johar Khan, had filed the claim petition, for seeking compensation, on account of death of their daughter, namely, Samshida, in a motor vehicular accident, which took place on 10.07.2013.

On appraisal of the evidence brought on record, vide Award dated 19.02.2015, claimants were awarded compensation, to the extent of Rs.2,85,000/- and the liability was fastened upon respondents No.1 and 2, whereas, the claim qua respondent No.3-Insurance Company, was dismissed. The liability of respondents No.1 and 2, was held to be joint and several.

Being aggrieved, Rukaiyaa and another, have filed an appeal i.e. FAO-4667-2015, for seeking enhancement of compensation.

Qua the same Award, on account of exoneration granted to the Insurance Company, Amin s/o Akbar, who is the owner of the offending vehicle, had filed an appeal i.e. FAO-2794-2015.

During the pendency of the same, compromise has reached between the parties and the Insurance Company, has agreed to pay a sum of Rs.8,50,000/- as full and final settlement, reached between the parties, which is inclusive of the interest part. Also, it is settled between the parties that



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since the driver of the offending vehicle, was having valid driving licence, the Insurance Company has accepted the liability to pay settled amount.

In the light of the settlement, so reached, between the parties, the Insurance Company, is hereby directed to pay a sum of Rs.8,50,000/- , inclusive of interest and the amount earlier awarded, which as per the version put forth, now has not been released to the claimants. The requisite amount shall be paid within a period of 45 days from today onwards.

In the eventuality of any default, on the part of the Insurance Company, it shall be be liable to pay penal interest of 8% per annum, from today onwards, till realization.

In view of the settlement, so reached, an appeal i.e. FAO-4667-2015 stands allowed and since the Insurance Company have taken the liability to pay the compensation of settled amount, counsel for the appellant in FAO-2794-2015 submits that he does not want to pursue with the present appeal and the same shall be dismissed as withdrawn, being compromised.

Ordered accordingly.

17.02.2026
Sonu Saini

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No