

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

(106)

CR-8496-2025

Date of Decision:-06.02.2026

UNITED INDIA INSURANCE COMPANY LIMITED

... Petitioner

Versus

KAMLA AND ANOTHER

... Respondents

-:-

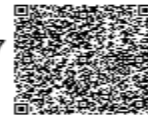
CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Punit Jain, Advocate,
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. Petitioner filed this petition under Article 227 of the Constitution of India assailing the order dated 01.11.2025 whereby the learned Executing Court has directed the petitioner/company to pay further sum of Rs.4,52,410/- as that amount stood paid to mother of the deceased who was a co-claimant and one of the decree holder with the present respondent. Warrants of attachment of the property of petitioner has been issued.

2. Briefly stated, one MACT award was passed against the petitioner for payment of compensation of Rs.16,10,000/- to the claimants. As per the orders of the MACT, Hisar, JD paid the entire compensation to Smt. Darshana, one of the award holders and now a separate execution petition has been filed by one of the award holders claiming her share of Rs.4,52,410/- and the learned Executing Court has directed the petitioner/company to pay that amount to respondent/petitioner by observing that award specifically mentioned that all of the claimants are equally entitled to compensation in equal shares and the company instead of disbursing the amount to all the claimants in equal shares individually, has paid the entire sum to Smt. Darshana without obtaining any undertaking with regard to no objection from other claimants including the



respondent/claimant. So, in view of the mistake committed by the petitioner/company in releasing the entire compensation amount to Smt. Darshana, learned Executing Court held that claimant-Kamla cannot be deprived of the benefit of the award. The order has been assailed by the petitioner/company on the grounds that when petitioner/company has discharged its liability in entirety and it is for the respondent/petitioner to seek his due from co-decree holder.

3. Learned counsel submitted that this amount was released to Smt. Darshana during Covid period considering the restrictive movement allowed at that time and limited operations of the office, so, the company should not be burdened. The learned Executing Court in impugned order has made it clear that Insurance Company is at liberty to recover the excess amount paid to Smt. Darshana by adopting appropriate legal remedied. The company can take civil as well as criminal remedies available with the company in order to recover the excess amount paid to Smt. Darshana but the jurisdiction exercised by the learned Executing Court is in no manner perverse and does not call for any interference of this Court, as such, finding no merit in the instant revision petition and the same is dismissed. The amount recovered from the petitioner be released to the award holders subject to furnishing adequate surety.

4. As a natural corollary, since the main cases stand dismissed, all miscellaneous application(s), if any, shall also stand disposed of, as no fruitful purpose would be served by keeping them.

6th February, 2026

S. Pathania

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?

Yes / No

Whether reportable?

Yes / No