

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-3999-2019 (O&M)

Date of Decision:31.03.2022

Rani and othersPetitioners

Versus

Sardar Singh and others Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. R.K.Arya, Advocate
for the petitioners.

Mr. P.H.S.Pannu, Advocate
for respondent No.3-Insurance company.

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MANJARI NEHRU KAUL, J. (Oral)

An application i.e. CM-3622-CII-2022 has been filed for pre-ponement of date in the main case from 24.08.2022 to an early date and for disposing of the matter as per the compromise arrived at between the parties.

For the reasons mentioned in the application, the date in the main case as well as in the application for condonation of delay is pre-poned to today.

Learned counsel for the appellants prays that the delay of 639 days in filing the appeal be condoned in view of the reasons mentioned in the application i.e. CM-13341-CII-2019.

For the reasons mentioned in the said application, the same is

allowed and the delay of 639 days in filing the appeal is condoned.

Learned counsel for the Insurance Company submits that the matter stands amicably settled between the parties.

Learned counsel appearing for the claimants/appellants does not dispute the submissions made by the counsel for the Insurance Company qua the parties having indeed amicably settled their dispute in terms of the grounds taken in paras 5 to 7 of the application and admits to the acceptance of the same.

The instant appeal was preferred by the appellants-claimants for enhancement of compensation, which was awarded to them vide impugned award dated 17.04.2017, passed by the learned MACT, Gurdaspur. However, during the pendency of the present appeal, the parties amicably settled the matter and arrived at a compromise, whereby, it has been settled that an amount of Rs.3,00,000/- shall be paid to the appellants/claimants over and above the amount of compensation awarded by the learned Tribunal vide impugned award dated 17.04.2017, towards full and final settlement of the claim in the present appeal. An affidavit to the said effect has also been filed on behalf of respondent No.3 – Bajaj Allianz General Insurance Company Limited along with the application.

Learned counsel for the appellants/claimants does not dispute the submissions made by the learned counsel for the insurance company with respect to the sum of Rs.3,00,000/-, which would be paid over and above the awarded amount, as full and final settlement and admits to the compromise effected, as also the acceptance of the same.

In the circumstances, the appeal is hereby disposed of in terms of the compromise effected between the parties, which finds duly detailed in CM-3622-CII-2022 i.e. the application filed u/s 151 CPC by the parties.

Needless to say that the parties shall remain bound by the terms & conditions detailed in the said application.

Respondent No.3– Bajaj Allianz General Insurance Company Limited shall deposit the cheque of Rs.3,00,000/- in the registry of this Court, within four weeks from today, which shall be further released to the appellants/claimants against proper receipt.

31.03.2022
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No