



124

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

FAO-2309-2014 (O&M)

Date of Decision : 31.01.2025

Tara Devi (deceased) through LRs

... Appellant(s)

Versus

Amin Khan & Ors

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Vishal Sharma, Advocate for the appellants.

Service of respondent Nos.1 and 2 already dispensed with
vide order dated 17.03.2016.

Mr. Punit Jain, Advocate for respondent No.3.

ALKA SARIN, J. (Oral)

CM-1634-CII-2025

1. This is an application for impleading the legal representatives of the appellant - Tara Devi - who is stated to have died.
2. For the reasons stated in the application, the same is allowed subject to all just exceptions. Legal representatives of the appellant - Tara Devi - mentioned in para No.2 of the application are impleaded as parties. Vakalatnama signed by the legal representatives of the appellant - Tara Devi - is already appended with the present application. Amended memo of parties is taken on record.

CM-1633-CII-2025

3. This is an application for preponing the date of hearing in the main case from 19.03.2025 to an early date.

4. Notice of the application.

5. Mr. Punit Jain, Advocate accepts notice on behalf of the non-applicant/respondent No.3 and states that he has no objection if the present application is allowed.

6. In view of the above and for the reasons stated in the application, the same is allowed. With the consent of the learned counsel for the parties, the main case is taken on Board today itself.

FAO-2309-2014

7. The present appeal has been preferred by the claimant-appellants aggrieved by the quantum of compensation awarded by the Motor Accident Claims Tribunal, Rewari, vide the impugned award dated 29.10.2013.

8. Learned counsel for the parties are *ad idem* that the matter has since been settled between the appellants and respondent No.3-Insurance Company. Respondent No.3-Insurance Company has agreed to pay an amount of Rs.9,60,000/- (rupees nine lacs and sixty thousand only), over and above the amount awarded by the Tribunal, to the claimant-appellants herein as full and final settlement of the claim in this appeal. The learned counsel for the parties are further *ad idem* that the amount be apportioned amongst the claimant-appellants in equal proportion.

9. Learned counsel for respondent No.3-Insurance Company states that the amount of ₹9,60,000/- would be deposited in the bank accounts of the legal representatives of the appellant - Tara Devi - within a period of 45 days from today. The learned counsel for the claimant-appellants undertakes

that the details of bank accounts of the legal representatives of the appellant - Tara Devi - would be handed over to the learned counsel for respondent No.3-Insurance Company within a period of one week from today.

10. In view of the above, the present appeal is disposed off with a direction to respondent No.3-Insurance Company to deposit the amount of Rs.9,60,000/- (rupees nine lacs and sixty thousand only), over and above the amount awarded by the Tribunal, in the bank accounts of the legal representatives of the appellant - Tara Devi - within a period of 45 days from today, failing which interest @ 9% per annum would be payable on the same from the date of filing of the claim petition till realization.

11. Disposed off accordingly. Pending applications, if any, also stand disposed off.

31.01.2025
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO