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**(2022) 05 SHI CK 0046**

**In the High Court Of Himachal Pradesh**

**Case No : First Appeal From Order No. 77 Of 2020**

Sunita Devi

APPELLANT

Vs

Amit Kumar Vashisht And Others

RESPONDENT

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**Date of Decision : 13-05-2022**

**Acts Referred:**

**Citation : (2022) 05 SHI CK 0046**

**Hon'ble Judges : Sandeep Sharma, J**

**Bench : Single Bench**

**Advocate : Y.P. Sood, Jagdish Thakur**

**Final Decision : Disposed Of**

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## **Judgement**

Sandeep Sharma, J

1. By way of present appeal filed under S.173 of the Motor Vehicles Act, challenge has been laid to Award dated 15.10.2019 passed in Claim Petition No. 150 of 2017 by learned Motor Accident Claims Tribunal (II), Una, District Una, Himachal Pradesh, whereby learned Tribunal below, while holding the appellant/claimant (hereinafter, 'claimant'), entitled for the compensation directed respondent No.2-insurance company to pay sum of Rs. 1,76,926/- alongwith interest at the rate of 9% from the date of petition till realization.

2. Being aggrieved and dissatisfied with the quantum of compensation awarded by learned tribunal below, claimant has approached this court in the instant appeal. But before the same could be heard and decided on its own merit, learned counsel for the parties fairly state that the parties have resolved to settle the dispute inter se them amicably, whereby respondent No.2 has agreed to pay Rs. 2,50,000/- over and above Rs. 1,76,926/- awarded by learned Tribunal below, vide impugned award, as full and final settlement.

3. Mr. Y.P. Sood, Advocate appearing for the claimant, while fairly acknowledging the factum with regard to compromise inter se parties, states that nothing

remains to be adjudicated in the present appeal, but before disposing of the same, necessary direction be issued to the respondent No.2 to deposit the agreed amount i.e. Rs. 2,50,000/- over the award amount awarded by learned Tribunal below, within stipulated period.

4. In view of the compromise arrived inter se parties,, impugned Award dated 15.10.2019 passed by Motor Accident Claims Tribunal II Una, in Claim Petition No. 150 of 2017 is modified accordingly and respondent No.2 is directed to deposit the additional amount of Rs. 2,50,000/- to be paid to the claimant, over and above sum of Rs. 1,76,926/- awarded by learned Tribunal below, within a period of four weeks from today, with the Registry of this Court, whereafter, the claimant would be entitled to file an appropriate application for release of the same in her favour.

5. The appeal stands disposed of in the afore terms, alongwith all pending applications, if any.