

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6858 OF 2023  
(Arising out of SLP (C) No. 23927 of 2023)  
(Arising out of Diary No. 10523 of 2020)

GURMEET KAUR AND ORS.

...Appellant(s)

Vs.

KULDEEP SINGH AND ORS.

...Respondent(s)

O R D E R

1. Delay condoned.
2. Leave granted.
3. The appellants are the legal heirs of deceased Paramjit Singh, who was employed as a peon in Tehsil Office, Dhuri (Punjab). The deceased met with a road accident on 09.04.2011 and died on 26.06.2011. The appellants filed a claim petition before the Motor Accident Claims Tribunal, Sangrur and vide award dated 08.11.2013, the Tribunal granted them compensation of Rs. 28,23,012/- along with interest @ 7.5% per annum with effect from 26.07.2011.
4. The appellants were dissatisfied with the amount of compensation; hence, they filed FAO No. 5479 of 2014 before the High Court, which has been unfortunately dismissed with a cryptic order *in limine* vide the impugned order dated 02.02.2015.
5. Learned counsel for the Insurance Company informs us

that the award passed by the Tribunal is already under challenge at the instance of the Insurance Company before the High Court in FAO No. 8138 of 2014, which is still pending.

6. Since the High Court has not gone into the merits of the claim of the appellants for enhancement of compensation, we allow this appeal, set aside the impugned judgment dated 02.02.2015 and remit the case to the High Court to decide FAO No. 5479 of 2014 on merits.

7. It is directed that FAO No. 5479 of 2014 filed by the appellants and FAO No. 8138 of 2014 filed by the Insurance Company be taken up together for adjudication. We request the High Court to first refer the matter to Lok Adalat, and in case there is no settlement, then make an endeavor to decide the appeals at the earliest and preferably within six months.

8. Pending application(s), if any, shall stand disposed of.

.....J.  
[SURYA KANT]

.....J.  
[DIPANKAR DATTA]

New Delhi;  
October 18, 2023.

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 10523/2020

(Arising out of impugned final judgment and order dated 02-02-2015 in FAO No. 5479/2014 passed by the High Court Of Punjab &amp; Haryana At Chandigarh)

GURMEET KAUR &amp; ORS.

Petitioner(s)

VERSUS

KULDEEP SINGH &amp; ORS.

Respondent(s)

IA No. 54637/2020 - CONDONATION OF DELAY IN FILING

Date : 18-10-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE DIPANKAR DATTAFor Petitioner(s) Mr. Varun Bedi, Adv.  
Mr. Rameshwar Prasad Goyal, AORFor Respondent(s) Mr. T. Mahipal, AOR  
Mr. Rohit K Sinha, Adv.UPON hearing the counsel the Court made the following  
O R D E R

1. Delay condoned.
2. Leave granted.
3. Civil Appeal is allowed in terms of the signed order.
4. Pending application(s), if any, shall stand disposed of.

(KAPIL TANDON)  
COURT MASTER (SH)(PREETHI T.C.)  
COURT MASTER (NSH)

(Signed order is placed on the file)