



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

(136)

CWP-29082-2025

Date of decision:- 26.09.2025

SUNITA AND OTHERS

... Petitioner

Versus

**PRESIDING OFFICER MOTOR ACCIDENT CLAIMS TRIBUNAL-
CUM-NATIONAL LOK ADALAT JHAJJAR AND OTHERS**

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rahul Makkar, Advocate
for the petitioners.

1. Petitioners have approached this Court for modification of award dated 14.09.2024, Annexure P-1, as well as subsequent order dated 18.07.2025, Annexure P-2, passed by the National Lok Adalat, whereby compensation has been ordered to be shared equally by petitioners and respondents No.5 to 7.
2. Counsel for the petitioners submits that petitioners are the widow and minor children of Rakesh Kumar, who died in a vehicular accident on 08.04.2021. He submits that petitioners filed a claim petition under Section 166 of the Motor Vehicles Act, 1988, wherein respondent No.5 to 7, i.e. a major son and parents of the deceased, were impleaded as parties. He states that the matter was referred to the National Lok Adalat and a settlement was arrived at, whereby Insurance Company -respondent No.3, agreed to pay a sum of Rs.15,00,000/- to the petitioners, in full and final settlement of the claim, within a period of two months, failing which, Insurance Company agreed to pay interest @ 6% p.a. on the delayed payment. Counsel submits that by virtue



of an application filed by respondents No.5 to 7 under Section 152 CPC, award was modified and the Motor Accidents Claim Tribunal, Jhajjar, vide impugned order dated 18.07.2025, Annexure P-2, directed that the compensation shall be shared equally by the petitioners as well as proforma respondents No.5 to 7. Counsel submits that compromise was arrived at between the Insurance Company and the petitioners and the private respondents could not claim any portion thereof.

3. Having heard counsel for the petitioners, this Court does not find any substance in the argument raised by him. The conceded case of the petitioners is that respondent No.5 is the son of the deceased and respondents No.6 and 7 are his parents. Being dependents of the deceased, respondents No.5 to 7 are entitled to their share in the compensation agreed to be paid in full and final settlement by the Insurance Company. Merely because the aforesaid respondents were not a party to the agreement arrived at before the Lok Adalat, does not deprive them of their share in the awarded amount.

4. Finding no merit in the petition, it is dismissed with no order as to costs.

(SUVIR SEHGAL)
JUDGE

26.09.2025

parul verma

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No