



FAO-3273-2007 (O&M)

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

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**FAO-3273-2007 (O&M)
Date of Decision : 27.09.2024**

Hanuman @ Jagdev

....Appellant

VERSUS

State of Haryana and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Prashant Singh Ghuman, Advocate,
Mr. Arun Yadav, Advocate and
Mr. Amrit Singh, Advocate for the appellant.

Mr. Ayuwan Singh, AAG, Haryana for respondent Nos. 1 and 2.

Mr. B.K.Bagri, Advocate for respondent No.3.

Mr. D.P.Gupta, Advocate and
Mr. Shubham Gupta, Advocate for respondent No.4.

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SUDEEPTI SHARMA, J. (Oral)

1. The present appeal has been preferred by the claimant/appellant against the award dated 02.06.2007 passed by the learned Motor Accident Claims Tribunal, Rewari (for short, 'the Tribunal') in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988, whereby, the claim petition of the claimant was dismissed.

FACTS NOT IN DISPUTE

2. The brief facts of the case are that on 22.02.2004, the petitioner had gone to village Nangal Sirohi (Khatiwar) to attend marriage party in Haryana Roadways bus No.HR-47-9052. While returning from the village, the driver of the bus was driving the bus in a rash and negligent manner. He was driving the bus in violation of the terms and conditions of traffic rules. Due to his negligence, the bus



turned turtle thereby causing injury on the person of the petitioner. Petitioner sustained fracture in the left arm and could not work for a period of three months. Petitioner is 44 years of age and is a mason by profession. His monthly income is Rs.6,000/- per month.

3. Upon notice of the claim petition, respondents appeared and denied the factum of accident/compensation.

4. From the pleadings of the parties, the Tribunal framed the following issues:-

- 1) *Whether the accident in question resulting into injuries to the petitioner took place on account of rash and negligent driving of the bus No.HR-47-9052 by its driver/respondent No.3? OPP*
- 2) *Whether the petitioner is entitled to the compensation on account of the injuries sustained by him and if so to what amount and from whom? OPP*
- 3) *Whether respondent No. 3 was not holding a valid and effective driving licence at the time of accident in question, as alleged? OPR-4*
- 4) *Whether the insurance company/respondent No.4 is not liable to pay compensation on the grounds as alleged in the written statement? OPR-4*
- 5) *Relief.*

5. After taking into consideration the pleadings and the evidence on record, the learned Tribunal dismissed the claim petition. Hence the present appeal.

SUBMISSIONS OF LEARNED COUNSELS FOR THE PARTIES

6. Learned counsel for the claimant-appellant contends that only on the ground that FIR was not lodged by the claimant-appellant, the claim petition was dismissed by the learned Tribunal.

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7. Per contra, learned for the respondent-Insurance Company vehemently argues that FIR was not lodged and no occupant of the offending vehicle was examined when it was a marriage party and further contends that the present appeal be dismissed.

8. I have heard learned counsel for the parties and perused the whole record of this case.

9. Since, the present case pertains to the year 2007 and burnt category, therefore, the relevant portion of the award, which is unburnt and legible to understand is reproduced hereunder:-

“11. PW1 Hanuman has asserted on oath that on 22.02.2004, he had gone to village Khatiwas (Nangal Sirohi) in a marriage party in bus No.HR-47-9052 being driven by its driver namely Sudesh Kumar. While returning to the village, the bus was being driven in a rash and negligent manner. The occupants of the bus warned the driver, but he did not pay any heed and kept on driving the bus in a zig-zag manner. Due to his rash and negligent driving, the bus turned turtle and the petitioner sustained fracture in the left hand. He has spent an amount of Rs.10,000/- on special diet and transportation. He was unable to do the job for the period of three month. PW-3 Ram Chander has submitted that on 22.02.2004, a bus of Haryana Roadways was engaged to carry the marriage party to village Khatiwas. PW5 Suraj Bhan has submitted that according to the record of the Haryana Roadways, the bus No.HR-47-9052 had carried a marriage party to village Nangal Sirohi on 22.02.2004 at 3:00 PM. It was brought to the workshop through a crane on 23.02.2004 at 8.10 PM. The



photocopies of the arrival and departure of the bus are Ex.PE and Ex.PF.

12. *PW6 Jagmal Singh has submitted that the stephney of the bus was stolen and he was charge-sheeted by the department. He did not lodge any report with the police. PW5 Suraj Bhan also admitted in the cross-examination that he has no personal knowledge about the case and the entries in Ex.PE and Ex.PF are not in his hand.*

13. *No FIR was ever lodged against respondent No.3 for causing the accident. The bus was never impounded in any criminal case. Surprisingly, no other occupant of the bus has come forth to depose that the accident was caused by respondent No.3. The case of the petitioner is based on presumptions. Learned counsel for the respondents contended that criminal case is a condition precedent for consideration of the claim case. He has relied upon the cases titled as Yashwant Singh Baghel and another Vs. Shiv Prasad Vishwakaman and others, 2006 ACJ, 2328; Hon'ble High Court of Madhya Pradesh at Jabalpur, Magan Vs. xxxxxxxxxxxxxxxxxxxxxxxx(illegible) Madhya Pradesh High Court and Smt. Sarla xxx (illegible) Chand & Ors. III (2003) ACC 428, Hon'ble Punjab and Haryana High Court. The facts brought on the record clearly indicates that no xxxx (illegible) was caused due to the rash and negligent driving on the part of respondent No.3 while plying the bus No.HR-47-9052. This issue is answered in favour of the respondents and against the petitioner.*

10. A perusal of the award indicates that PW1's testimony establishes a clear sequence of events leading to the accident. The passengers' repeated



warnings demonstrate that the driver's behavior was not momentary or inadvertent but persistent and deliberate. This underscores, the element of negligence, as the driver failed to exercise the reasonable care expected of a person in his position. The driver's continued reckless conduct, despite foreseeable risks, amounts to a breach of duty of care owed to the passengers. The culmination of this negligent conduct in the bus overturning and PW1 sustaining injuries further satisfies the causal link between the driver's action and the harm caused.

11. Accordingly, the testimony of PW1 provides cogent and compelling evidence of the proximate cause of the accident and the liability of the driver for the injuries sustained.

12. A perusal of the award further shows that PW3 Ram Chander testified, that on 22.02.2004, a bus belonging to Haryana Roadways was engaged to transport a marriage party to Village Khatiwas. PW5 Suraj Bhan corroborated this by stating that, according to the official records of Haryana Roadways, Bus No. HR-47-9052 was deployed to transport a marriage party to Village Nangal Sirohi on the same day at 3:00 PM. He further stated that on 23.02.2004, the bus was brought back to the workshop by crane at 8:10 PM. The arrival and departure records of the bus were exhibited as Ex. PE and Ex. PF.

13. Accordingly, the testimony of PW1 provides cogent and compelling evidence of the proximate cause of the accident and the liability of the driver for the injuries sustained. The fact that the bus had to be towed back to the workshop by crane is a decisive piece of evidence that substantiates the occurrence of an accident. The necessity of crane assistance to transport the bus implies substantial damage, which is indicative of an accident. The documentary evidence in the form of Ex. PE and Ex. PF further corroborates the timeline and the movements of the



vehicle, thereby conclusively establishing the factum of the accident and the involvement of the offending vehicle.

14. PW7, Dr. A.K. Saini, testified that the petitioner was examined by the medical board, which assessed claimant's - Hanuman @ Jagdev, disability at 6.5%, attributed to mild stiffness in the left wrist. The disability certificate, marked as Ex. PG, was duly produced in evidence. Additionally, PW2, Dr. Ghan Shyam Mittal, has authenticated the OPD slip (Ex. PC) and testified that the petitioner incurred a medical expenditure of Rs. 700/- for the plaster. Furthermore, PW1, Hanuman, has submitted the MLR (Ex. PB), which corroborates that the petitioner sustained injuries as a result of the accident in question.

15. The testimonies and documentary evidence presented collectively corroborate that the petitioner sustained injuries in the accident in question. The evidence, thus, not only establishes the factual basis of the petitioner's injury but also supports the medical expenses incurred, validating the claim for compensation arising from the accident.

16. A perusal of the award further reveals that no FIR was registered against Respondent No. 3 in connection with the accident, and the bus was not impounded in any criminal case. The tribunal's observation that, notably, no other passengers from the bus have come forward to testify that the accident was caused by Respondent No. 3, effectively renders the petitioner's case based on mere speculation, which is legally unfounded and untenable.

17. It is well-established principle of law as confirmed by the Coordinate Bench of this Court in the case of *Chhindo Devi v. KC Oil Mills and Others* [2014(57) RCR (civil) 687], that the mere relinquishment of the right to initiate criminal proceedings for negligence under the Motor Vehicles Act does not operate



as an admission of the absence of civil liability. A waiver of criminal action does not, in any manner, bar the claimant from pursuing a civil claim for compensation.

18. In the present case, the Tribunal's conclusion that the accident did not result from negligent driving of the vehicle in question is fundamentally untenable and warrants reversal. The tribunal incorrectly relied on the absence of the filing of a criminal case as the basis for dismissing the claim of negligence. This approach misconstrues the nature of civil liability, which is determined independently of criminal proceedings.

19. The Tribunal, consequently, erred by equating the absence of criminal proceedings with the absence of negligence, disregarding the fact that Motor Vehicle Accident Claims can be substantiated by a different standard of evidence.

20. The Hon'ble Supreme Court has consistently held that, in adjudicating claims arising from motor vehicle accidents, the emphasis should not be on identifying inconsistencies or infirmities in the testimony of the prime witness but on assessing the entire body of evidence to ascertain whether it satisfies the standard of proof based on the preponderance of probabilities. The reliance at this stage can be made to the judgment rendered by the Hon'ble Supreme Court in the case of Anita Sharma Vs. New India Assurance Co. Ltd. 2021(1) SCC (Crl) 473, wherein the Supreme Court has held as under :-

“22. Equally, we are concerned over the failure of the High Court to be cognizant of the fact that strict principles of evidence and standards of proof like in a criminal trial are inapplicable in MACT claim cases. The standard of proof in such like matters is one of preponderance of probabilities, rather than beyond reasonable doubt. One needs to be mindful that the approach and role of Courts while



examining evidence in accident claim cases ought not to be to find fault with non-examination of some best eyewitnesses, as may happen in a criminal trial; but, instead should be only to analyze the material placed on record by the parties to ascertain whether the claimant's version is more likely than not true. A somewhat similar situation arose in [Dulcina Fernandes v. Joaquim Xavier Cruz](#) (2013) 10 SCC 646, wherein this Court reiterated that:

“7. It would hardly need a mention that the plea of negligence on the part of the first respondent who was driving the pickup van as set up by the claimants was required to be decided by the learned Tribunal on the touchstone of preponderance of probabilities and certainly not on the basis of proof beyond reasonable doubt.”

21. In view of the well-settled principles, the Tribunal's failure to accord due weight to the witness's testimony marks a departure from established legal standards. Since the Motor Vehicles Act is a welfare-oriented legislation intended to provide expeditious relief and compensation to the dependents of deceased victims, such a rigid and hyper-technical approach undermines the purpose and spirit of the statute, defeating its overarching objective of ensuring substantive justice.

22. On touch-stone of hereinabove discussed findings, the award dated 02.06.2007 passed by learned Tribunal Rewari, stand vitiated by a complete absence of application of judicial mind.

23. In view of the above, the award dated 02.06.2007 is liable to be set aside.



24. With respect to determination of compensation, the record contains evidence of hospital admission, the claimant's earning and expenses incurred for medical treatment and hospitalization. Consequently, this Court shall adjudicate the compensation in accordance with the documentary evidence on the record.

SETTLED LAW ON COMPENSATION

25. Hon'ble Supreme Court has settled the law regarding grant of compensation with respect to the disability. The Apex Court in the case of **Raj Kumar Vs. Ajay Kumar and Another (2011) 1 Supreme Court Cases 343**, has held as under:-

General principles relating to compensation in injury cases

5. The provision of the Motor Vehicles Act, 1988 ('Act' for short) makes it clear that the award must be just, which means that compensation should, to the extent possible, fully and adequately restore the claimant to the position prior to the accident. The object of awarding damages is to make good the loss suffered as a result of wrong done as far as money can do so, in a fair, reasonable and equitable manner. The court or tribunal shall have to assess the damages objectively and exclude from consideration any speculation or fancy, though some conjecture with reference to the nature of disability and its consequences, is inevitable. A person is not only to be compensated for the physical injury, but also for the loss which he suffered as a result of such injury. This means that he is to be compensated for his inability to lead a full life, his inability to enjoy those normal amenities which he would have enjoyed but for the injuries, and his inability to earn as much as he used to earn or could



have earned. (See C.K. Subramonia Iyer v. T. Kunhikuttan Nair, AIR 1970 Supreme Court 376, R.D. Hattangadi v. Pest Control (India) Ltd., 1995 (1) SCC 551 and Baker v. Willoughby, 1970 AC 467).

6. *The heads under which compensation is awarded in personal injury cases are the following :*

Pecuniary damages (Special Damages)

(i) Expenses relating to treatment, hospitalization, medicines, transportation, nourishing food, and miscellaneous expenditure.

(ii) Loss of earnings (and other gains) which the injured would have made had he not been injured, comprising :

(a) Loss of earning during the period of treatment;

(b) Loss of future earnings on account of permanent disability.

(iii) Future medical expenses. Non-pecuniary damages (General Damages)

(iv) Damages for pain, suffering and trauma as a consequence of the injuries.

(v) Loss of amenities (and/or loss of prospects of marriage).

(vi) Loss of expectation of life (shortening of normal longevity).

In routine personal injury cases, compensation will be awarded only under heads (i), (ii)(a) and (iv). It is only in serious cases of injury, where there is specific medical evidence corroborating the evidence of the claimant, that compensation will be granted under any of the heads (ii)(b), (iii), (v) and (vi) relating to loss of future earnings on account of permanent disability, future medical expenses, loss of



amenities (and/or loss of prospects of marriage) and loss of expectation of life.

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19. We may now summarise the principles discussed above :

(i) All injuries (or permanent disabilities arising from injuries), do not result in loss of earning capacity.

(ii) The percentage of permanent disability with reference to the whole body of a person, cannot be assumed to be the percentage of loss of earning capacity. To put it differently, the percentage of loss of earning capacity is not the same as the percentage of permanent disability (except in a few cases, where the Tribunal on the basis of evidence, concludes that percentage of loss of earning capacity is the same as percentage of permanent disability).

(iii) The doctor who treated an injured-claimant or who examined him subsequently to assess the extent of his permanent disability can give evidence only in regard the extent of permanent disability. The loss of earning capacity is something that will have to be assessed by the Tribunal with reference to the evidence in entirety.

(iv) The same permanent disability may result in different percentages of loss of earning capacity in different persons, depending upon the nature of profession, occupation or job, age, education and other factors.

20. The assessment of loss of future earnings is explained below with reference to the following



Illustration 'A' : *The injured, a workman, was aged 30 years and earning Rs. 3000/- per month at the time of accident. As per Doctor's evidence, the permanent disability of the limb as a consequence of the injury was 60% and the consequential permanent disability to the person was quantified at 30%. The loss of earning capacity is however assessed by the Tribunal as 15% on the basis of evidence, because the claimant is continued in employment, but in a lower grade. Calculation of compensation will be as follows:*

- a) Annual income before the accident : Rs. 36,000/-.*
- b) Loss of future earning per annum
(15% of the prior annual income) : Rs. 5400/-.*
- c) Multiplier applicable with reference to age : 17*
- d) Loss of future earnings : (5400 x 17) : Rs. 91,800/-*

Illustration 'B' : *The injured was a driver aged 30 years, earning Rs. 3000/- per month. His hand is amputated and his permanent disability is assessed at 60%. He was terminated from his job as he could no longer drive. His chances of getting any other employment was bleak and even if he got any job, the salary was likely to be a pittance. The Tribunal therefore assessed his loss of future earning capacity as 75%. Calculation of compensation will be as follows :*

- a) Annual income prior to the accident : Rs. 36,000/- .*
- b) Loss of future earning per annum
(75% of the prior annual income) : Rs. 27000/-.*
- c) Multiplier applicable with reference to age : 17*
- d) Loss of future earnings : (27000 x 17) : Rs. 4,59,000/-*



Illustration 'C' : The injured was 25 years and a final year Engineering student. As a result of the accident, he was in coma for two months, his right hand was amputated and vision was affected. The permanent disablement was assessed as 70%. As the injured was incapacitated to pursue his chosen career and as he required the assistance of a servant throughout his life, the loss of future earning capacity was also assessed as 70%. The calculation of compensation will be as follows :

a) Minimum annual income he would have got if had been employed as an Engineer : Rs. 60,000/-

b) Loss of future earning per annum (70% of the expected annual income) : Rs. 42000/-

c) Multiplier applicable (25 years) : 18

d) Loss of future earnings : (42000 x 18) : Rs. 7,56,000/-

[Note : The figures adopted in illustrations (A) and (B) are hypothetical. The figures in Illustration (C) however are based on actuals taken from the decision in Arvind Kumar Mishra (supra)].

26. Hon'ble Supreme Court in the case of **National Insurance Company Ltd. Vs. Pranav Sethi & Ors.** [(2017) 16 SCC 680] has clarified the law under Sections 166, 163-A and 168 of the Motor Vehicles Act, 1988, on the following aspects:-

- (A) Deduction of personal and living expenses to determine multiplicand;
- (B) Selection of multiplier depending on age of deceased;
- (C) Age of deceased on basis for applying multiplier;



(D) Reasonable figures on conventional heads, namely, loss of estate, loss of consortium and funeral expenses, with escalation;

(E) Future prospects for all categories of persons and for different ages: with permanent job; self-employed or fixed salary.

The relevant portion of the judgment is reproduced as under:-

“ Therefore, we think it seemly to fix reasonable sums. It seems to us that reasonable figures on conventional heads, namely, loss of estate, loss of consortium and funeral expenses should be Rs.15,000, Rs.40,000 and Rs.15,000 respectively. The principle of revisiting the said heads is an acceptable principle. But the revisit should not be fact-centric or quantum-centric. We think that it would be condign that the amount that we have quantified should be enhanced on percentage basis in every three years and the enhancement should be at the rate of 10% in a span of three years. We are disposed to hold so because that will bring in consistency in respect of those heads.”

27. Hon’ble Supreme Court in the case of **Erudhaya Priya Vs. State Express Tran. Corpn. Ltd. 2020 ACJ 2159**, has held as under:-

“ 7. There are three aspects which are required to be examined by us:

(a) the application of multiplier of '17' instead of '18';

The aforesaid increase of multiplier is sought on the basis of age of the appellant as 23 years relying on the judgment in National Insurance Company Limited v. Pranay Sethi and Others, 2017 ACJ 2700 (SC). In para 46 of the said judgment, the Constitution Bench



effectively affirmed the multiplier method to be used as mentioned in the table in the case of Sarla Verma (Smt) and Others v. Delhi Transport Corporation and Another, 2009 ACJ 1298 (SC) . In the age group of 15-25 years, the multiplier has to be '18' along with factoring in the extent of disability.

The aforesaid position is not really disputed by learned counsel for the respondent State Corporation and, thus, we come to the conclusion that the multiplier to be applied in the case of the appellant has to be '18' and not '17'.

(b) Loss of earning capacity of the appellant with permanent disability of 31.1%

In respect of the aforesaid, the appellant has claimed compensation on what is stated to be the settled principle set out in Jagdish v. Mohan & Others, 2018 ACJ 1011 (SC) and Sandeep Khanuja v. Atul Dande & Another, 2017 ACJ 979 (SC). We extract below the principle set out in the Jagdish (supra) in para 8:

"8. In assessing the compensation payable the settled principles need to be borne in mind. A victim who suffers a permanent or temporary disability occasioned by an accident is entitled to the award of compensation. The award of compensation must cover among others, the following aspects:

- (i) Pain, suffering and trauma resulting from the accident;*
- (ii) Loss of income including future income;*
- (iii) The inability of the victim to lead a normal life together with its amenities;*



- (iv) *Medical expenses including those that the victim may be required to undertake in future; and*
- (v) *Loss of expectation of life."*

[emphasis supplied]

The aforesaid principle has also been emphasized in an earlier judgment, i.e. the Sandeep Khanuja case (supra) opining that the multiplier method was logically sound and legally well established to quantify the loss of income as a result of death or permanent disability suffered in an accident.

In the factual contours of the present case, if we examine the disability certificate, it shows the admission/hospitalization on 8 occasions for various number of days over 1½ years from August 2011 to January 2013. The nature of injuries had been set out as under:

"Nature of injury:

- (i) *compound fracture shaft left humerus*
- (ii) *fracture both bones left forearm*
- (iii) *compound fracture both bones right forearm*
- (iv) *fracture 3rd, 4th & 5th metacarpals right hand*
- (v) *subtrochanteric fracture right femur*
- (vi) *fracture shaft femur*
- (vii) *fracture both bones left leg*

We have also perused the photographs annexed to the petition showing the current physical state of the appellant, though it is stated by learned counsel for the respondent State



Corporation that the same was not on record in the trial court. Be that as it may, this is the position even after treatment and the nature of injuries itself show their extent. Further, it has been opined in para 13 of Sandeep Khanuja case (supra) that while applying the multiplier method, future prospects on advancement in life and career are also to be taken into consideration.

We are, thus, unequivocally of the view that there is merit in the contention of the appellant and the aforesaid principles with regard to future prospects must also be applied in the case of the appellant taking the permanent disability as 31.1%. The quantification of the same on the basis of the judgment in National Insurance Co. Ltd. case (supra), more specifically para 61(iii), considering the age of the appellant, would be 50% of the actual salary in the present case.

(c) The third and the last aspect is the interest rate claimed as 12%

In respect of the aforesaid, the appellant has watered down the interest rate during the course of hearing to 9% in view of the judicial pronouncements including in the Jagdish's case (supra). On this aspect, once again, there was no serious dispute raised by the learned counsel for the respondent once the claim was confined to 9% in line with the interest rates applied by this Court.



CONCLUSION

8. *The result of the aforesaid is that relying on the settled principles, the calculation of compensation by the appellant, as set out in para 5 of the synopsis, would have to be adopted as follows:*

<i>Heads</i>	<i>Awarded</i>
<i>Loss of earning power (Rs.14,648 x 12 x 31.1/100</i>	<i>Rs. 9,81,978/-</i>
<i>Future prospects (50 per cent addition)</i>	<i>Rs.4,90,989/-</i>
<i>Medical expenses including transport charges, nourishment, etc.</i>	<i>Rs.18,46,864/-</i>
<i>Loss of matrimonial prospects</i>	<i>Rs.5,00,000/-</i>
<i>Loss of comfort, loss of amenities and mental agony</i>	<i>Rs.1,50,000/-</i>
<i>Pain and suffering</i>	<i>Rs.2,00,000/-</i>
<i>Total</i>	<i>Rs.41,69,831/-</i>

The appellant would, thus, be entitled to the compensation of Rs. 41,69,831/- as claimed along with simple interest at the rate of 9% per annum from the date of application till the date of payment.

CONCLUSION

28. In view of the law laid down by the Hon’ble Supreme Court in the above referred to judgments, the present appeal is allowed. The award dated 02.06.2007 is set aside accordingly. The appellant-claimant is entitled to compensation as per the calculations made here-under:-

Sr. No.	Heads	Compensation Awarded
1	Income	Rs.3,750/-
2	Loss of future prospects 25%	Rs.937/- (25% of 3750)
3	Annual Income	Rs.56,249/- (4687 x 12)
4	Loss of future earning per annum 6.5	Rs.3,937/-
5	Multiplier 14	Rs.55,118/-
6.	Loss of earning due to disability	Rs.30,000/-
7	Attendant charges	Rs.5,000/-
8	Transportation Charges	Rs.5,000/-
9	Pain and sufferings	Rs.20,000/-
10	Special Diet	Rs.10,000/-
11	Medical Expenses	Rs.2,000/-
12	Loss of Amenities of life	Rs.20,000/-
	Total Compensation	1,65,118/-

29. So far as the interest part is concerned, as held by Hon’ble Supreme Court in **Dara Singh @ Dhara Banjara Vs. Shyam Singh Varma** 2019 ACJ 3176 and **R.Valli and Others VS. Tamil Nadu State Transport Corporation** (2022) 5 Supreme Court Cases 107, the amount so calculated shall carry an interest @9% per annum from the date of filing of claim petition till the date of realization.

30. Insurance Company is directed to deposit the amount of compensation with the Tribunal within a period of two months from the date of receipt of copy of this judgment.

31. Since the appellant died during the pendency of this appeal and his legal heirs were brought on record vide order dated 01.04.2016, therefore, Tribunal is directed to disburse the amount of compensation along with interest in the account of the legal heirs of claimant/appellant in equal ratio. The legal



representatives of the claimants/appellants are directed to furnish their bank account details to the Tribunal.

32. In view of the order passed in FAO No.1682 of 2007 dated 18.07.2024, the insurance company is hereby directed to deposit the current scheduled fees to Mr. D.P.Gupta, Advocate within a period of ten days from the date of receipt of copy of this judgment.

33. Disposed of accordingly.

34. Pending applications, if any, also stand disposed of.

September 27, 2024
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(SUDEEPTI SHARMA)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No