

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

Civil Revision No.2641 of 2015 (O&M)

Date of decision: 21.4.2015

New India Assurance Company Ltd.

..... Petitioner

Versus

Suman Devi and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. R.C. Kapoor, Advocate, for the petitioner.

RAJESH BINDAL, J

Challenge in the present petition is to the award dated 3.1.2015 passed by the learned Motor Accident Claims Tribunal, Kaithal (for short “the Tribunal”), whereby, a sum of ₹ 5,000/- has been awarded to respondent No.1 on account of injuries allegedly suffered by her in a motor accident.

Learned counsel for the petitioner submitted that vide the same award the Tribunal had awarded ₹ 13,98,200/- to the legal heirs of the deceased, Tirath Bhushan, who died in the accident. It was further submitted that in FAO No.2302 of 2015 filed by the Insurance Company impugning that part of the award, notice of motion has been issued and execution of the award beyond 50% of the awarded amount has been stayed. The present petition has been filed, as award is not being accepted by the Company as such, inter alia being in violation of the terms of the policy and it being a case of contributory negligence.

After hearing learned counsel for the petitioner and considering the fact that the amount awarded in the present petition is merely ₹ 5,000/-, this court would not like to interfere in the impugned award. Hence, the same is dismissed. Dismissal of the present petition will not affect the merits of the appeal filed by the petitioner impugning the portion of the award, granting compensation of ₹ 13,98,200/- to the legal heirs of deceased-Tirath Bhushan on account of his death.

**(RAJESH BINDAL)
JUDGE**

21.4.2015

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