

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.10519 of 2014

Date of Decision: 04.09.2015

Shri Ram General Insurance Company Ltd.

.....Appellant

Vs.

Raj Bala and Others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Tajender K.Joshi, Advocate for the appellant.

Mr.Amit Singla, Advocate for respondents No.5 and 6.

RITU BAHRI, J. (ORAL)

CM Nos.28946 & 28947-CII of 2014

These application have been filed for condonation of 373 days delay in re-filing and 125 days delay in filing of the present appeal.

For the reasons stated in the applications, 373 days delay in re-filing and 125 days delay in filing of the present appeal is condoned.

Application stands disposed of.

FAO No.10519 of 2014

This appeal has been filed against the award dated 03.04.2013 passed by learned MACT, Bhiwani, whereby, claim petition qua respondents No.1 to 4 was allowed and a compensation of Rs.8,18,020/- was awarded along with interest @ 6% from the date of filing of petition till its realization.

Learned counsel for the appellant submits that Insurance Company has come up in the appeal against the award of the Tribunal on account of quantum of compensation. The main ground is that learned MACT took the income of the deceased as Rs.4348/- per month treating the deceased as unskilled labourer but thereafter wrongly and illegally added 30% of the same on account of

future prospect.

In view of the above, this aspect has been considered by the numbers of judgment in the case of '*Asha Verma and others Vs. Maharaj Singh and Others, 2015(2) RCR (Civil) 520, 'Rajesh and others Vs. Rajbir Singh and Others, 2013 (9) SCC 54' and 'Munna Lal Jain and another Vs. Vipin Kumar Sharma and others, 2015(3) Recent Apex Judgments 459*'. As such, there is no ground is made out to interfere in the Award dated 03.04.2013 passed by learned MACT, Bhiwani, and the same is accordingly, dismissed.

(RITU BAHRI)
JUDGE

04.09.2015
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