

In the High Court of Punjab and Haryana at Chandigarh

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F.A.O. No.1880 of 2015 (O&M)

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Date of decision:20.3.2015

Depot Manager, RSRTC, Sardar Shahar, Churu through Shri Ashok
Mathuria

.....Appellant

v.

Rajesh Kumar and others

.....Respondents

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Coram : Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Anil Kumar Gahlawat, Advocate for the appellant.

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Inderjit Singh, J.

This appeal has been filed against the impugned award dated 18.12.2014 passed by the Motor Accident Claims Tribunal, Gurgaon (hereinafter referred to as 'the Tribunal'), whereby on account of the motor vehicle accident, a compensation of ₹9,42,020/- has been awarded in favour of the claimant-petitioner (respondent No.1 herein).

I have heard learned counsel for the appellant and have gone through the record specially the award.

Rajesh Kumar-petitioner (respondent No.1 herein) filed claim petition under Section 166 of the Motor Vehicles Act against respondents Pratap Singh, Driver, Rajasthan State Road Transport Corporation, Jaipur and Depot Manager, RSRTC, Churu for claiming compensation to the tune

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of ₹20 Lacs along with interest for the death of Smt. Soni wife of Rajesh Kumar in the motor vehicular accident which took place on 25.11.2013 at about 7.50 a.m. due to rash and negligent driving of Pratap Singh while driving bus No.RJ-10PA-2676. The Tribunal awarded an amount of ₹9,42,020/- in favour of the claimant along with interest @7.5% per annum on the said awarded amount from the date of filing of the petition till actual realization and respondents No.1 to 3 in the petition were held jointly and severally liable for making payment of the compensation to the claimant.

Learned counsel for the appellant argued in general that award of amount of ₹9,42,020/- is on excessive side. He has not argued whether multiplier has been wrongly applied or whether the income has been wrongly taken in excess. No specific arguments on these points have been argued and on which ground this amount has been given in excess. The mere general argument that the amount has been given in excess is having no merit.

Therefore, finding no merit in the appeal, the same is dismissed.

March 20, 2015.

(Inderjit Singh)
Judge

hsp