

105 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.5616 of 2014 (O&M)
Date of Decision: March 19, 2015

Managing Director

.... Appellant

vs.

Harbans Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Ms. Jasleen Kaur Sidhu,
Asstt. Advocate General, Punjab for the appellant.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Learned State counsel seeks more time to file proper application for condonation of delay. Four adjournments have already been granted on the same ground. Further adjournment is declined.

It comes out that there is 225 days delay in filing the present appeal.

A perusal of the Award dated 26.08.2013 passed by the Motor Accident Claims Tribunal (Adhoc) (Fast Track Court), Bathinda (in short 'the Tribunal') shows that Harjit Singh @ Jeet Singh, aged about 26 years, an unmarried boy, died in the motor vehicular accident caused by bus bearing registration No.PB-20G-9649, being driven by Ajaib Singh, respondent No.3 (in the present appeal) and owned by the appellant (in the present appeal).

A perusal of the Award further shows that the Tribunal assessed the income of the deceased @ ₹6,000/- per month and applied the multiplier of 17. The Tribunal further awarded only ₹5,000/- for funeral expenses and another ₹5,000/- for loss of estate. No compensation was granted on account of loss of love and affection and inadequate compensation was granted on account of funeral expenses and loss of estate. The total compensation of ₹6,22,000/- @ 7% interest per annum from the date of filing of the claim petition till its realization was awarded by the Tribunal, in which the above-stated inadequacy has been noticed. The case was proved before the Tribunal. Therefore, there is no illegality or infirmity in the said Award.

It being so, I find that since there are no merit in the present appeal, therefore, the application for condonation of delay is dismissed. Consequently, the appeal also stands dismissed.

March 19, 2015
sarita

(KULDIP SINGH)
JUDGE