

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.4539 of 2015 (O&M)
Date of Decision: July 27, 2015

Reliance General Insurance Company Ltd.

...Appellant

Versus

Aruna Kumari and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sanjeev Kodan, Advocate
 for the appellant-Insurance Company.

INDERJIT SINGH, J.

Appellant Reliance General Insurance Company Ltd. has filed this appeal against claimants-respondents Aruna Kumari, Sanjeev Sood, Anubhav Sood and respondents Amrit Pal Singh, driver and Sukhminder Singh, owner of car bearing registration No.PB-13AB-6177 (offending vehicle), challenging the impugned Award dated 30.05.2015 passed by learned Motor Accident Claims Tribunal, Ambala, (hereinafter referred to as 'Tribunal'), vide which compensation of ₹7,49,000/- was awarded to the claimants along with interest @ 7.5% per annum from the date of institution of the petition till realization.

Learned counsel for the appellant argued only on two points that income of the deceased has been wrongly assessed by the Tribunal and further, the amount given on account of love and affection is also excessive.

I have heard learned counsel for the appellant and have

gone through the record.

From the record, I find that the deceased was pursuing Engineering course from a local college and the notional income of the deceased has been assessed by the Tribunal as ₹8000/- per month, which he would have earned after completing his engineering. The Tribunal also took the note of the fact that Government of Haryana has fixed minimum wages for the employees to be paid out of contingencies for various departments from time to time and in the year 2014-2015, an employee falling in the category of 'semi skilled' was to get ₹9000/- per month. Keeping in view this finding, in no way, the income of the deceased assessed by the Tribunal, can be held as excessive.

Further, I find that learned Tribunal, after discussing the law laid down in ***Rajesh and others vs. Rajbir Singh and others, 2013(3) RCR (Civil) 170***, awarded the amount of ₹1 lac to the claimants under the head loss of love and affection.

In view of the above, I find that the income of the deceased assessed by the Tribunal and the compensation awarded on the ground of love and affection, cannot be held not as per law. The findings given by the Tribunal are correct, as per law and do not require any interference from this Court and the same are upheld.

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

July 27, 2015
Vgulati

(INDERJIT SINGH)
JUDGE