

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.5000 of 2015 (O&M)
Date of Decision: August 03, 2015

New India Assurance Company Limited Appellant

vs.

Smt. Manu Devi and others Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vinod Gupta, Advocate 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)

The Insurance Company has filed this appeal against the Award dated 30.05.2015 passed by the Motor Accident Claims Tribunal, Bhiwani (in short 'the Tribunal').

Learned counsel for the appellant contends that in this case future prospects income of 50% has been added. The deceased was self employed. Therefore, the Tribunal erred in adding the future prospects.

Recently a three Judges Bench of Hon'ble Supreme Court in ***“Munna Lal Jain and another vs Vipin Kumar Sharma and others”*** in Civil Appeal No.4497 of 2015, decided on 15.05.2015, examined the question of grant of compensation to the self-employed person. Deceased was self-employed *Pandit* and was

bachelor in the said case. The question of grant of future prospects to self-employed person was also considered. The Apex Court after examining the authority of “***Santosh Devi vs National Insurance Company Limited***”, (2012) 6 SCC 421, “***Smt. Sarla Verma and others vs Delhi Transport Corporation and another***” (2009) 6 SCC 121, took the view that even in case of self-employed person, addition of future income on account of future prospects is to be added.

It being so, the matter has already been settled by Hon'ble the Supreme Court. Therefore, even in case of self employed, the income on account of future prospects is to be added.

No other point has been pressed. Therefore, there is no error in the impugned award.

Accordingly, the present appeal stands dismissed.

August 03, 2015
sarita

(KULDIP SINGH)
JUDGE