

***IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH***

F.A.O No. 9565 of 2014

Date of decision:- 22.09.2015

National Insurance Co. Ltd.

...Appellant

Versus

Sito Devi & others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Sandeep Suri, Advocate
for the appellant

Mr. Ashwani Arora, Advocate
for respondent Nos. 1 to 4.

Mr. Raman Singh Dhanda, Advocate
for respondent No.5

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RITU BAHRI J.

This appeal is by the insurance company disputing the liability foisted upon it by the Motor Accident Claims Tribunal, S.A.S Nagar (for brevity, 'Tribunal'), vide its order dated 04.07.2014 whereby the appellant-Company (for short 'the appellant') was held liable to make the compensation to the tune of Rs.11,72,700/-.

At the very outset, the appeal filed by the Insurance Company is liable to be rejected as the sole ground on which the present appeal has been filed by the Insurance Company that the learned Tribunal has erred in law in giving 30% future prospect to the

claimants, as the deceased was not the regular employee.

This aspect has been considered by Hon'ble the Supreme Court in a case '***Munna Lal Jain and another vs. Vipin Kumar Sharma and others, 2015(3) Recent Apex Judgments 459*** wherein the parents have filed the claim petition on account of death of their son aged 30 years, who was a bachelor and was self-employed as Pandit. He was given 50% future prospect keeping in view his age.

In view of the above mentioned judgment, the appeal is dismissed being devoid of any merit.

22.09.2015

G Arora

(***RITU BAHRI***)
JUDGE