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

**FAO No. 4766 of 2016(O&M)
Date of Decision: 03.10.2016**

General Manager

....Appellant

Vs

Ramwati and ors.

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

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

RAJ MOHAN SINGH, J.

CM-16399-CII-2016

For the reasons mentioned in the application, delay of 4 days in filing the appeal is condoned.

Main case

[1] Owner of the offending vehicle has preferred this appeal against the award dated 04.05.2016 passed by the Motor Accident Claims Tribunal, Mewat, whereby compensation was awarded in favour of claimants on account of death of Ravi.

[2] The appellant seeks to assail the order only to the extent of awarding 50% increase in the pay of the deceased towards future prospects. Deceased Ravi, was 19 years of age and was an

agriculturist. He was involved in milk vending also. Income of the deceased was assessed to be Rs. 6800/- per month. An increase of 50% was applied towards future prospects and compensation was accordingly assessed.

[3] Learned counsel contended that increase of 50% towards future prospects is not legally sustainable in case of self-employed person.

[4] Having considered the submission, I am unable to subscribe the point raised by learned counsel for the appellant for the simple reason that the addition towards future prospects on the basis of ratio laid down in Santosh Devi Vs. National Insurance Company Ltd. and others 2012 (6) SCC 421, Rajesh and others Vs. Rajbir Singh and others, (2013) 9 SCC 54 and Munna Lal Jain and anr. Vs. Vipin Kumar Sharma and ors. can be allowed. No other point was raised.

[5] In view of aforesaid, this appeal is found to be totally bereft of merit and the same is dismissed.

(RAJ MOHAN SINGH)
JUDGE

03.10.2016

sumit

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No