

THE HON'BLE SMT JUSTICE T. RAJANI

MACMA No.442 of 2008

JUDGMENT:

The appellant-insurance company, respondent No.2 before the tribunal in OP.No.903 of 2005, filed this appeal assailing the award of the tribunal dated 13.09.2007 so far as the income of the deceased is concerned.

2. The income of the deceased was taken as Rs.3,510/- per month as against the claim of Rs.6,000/- per month. This Court does not find the said income, taken by the tribunal, being on the higher side.

3. Counsel for the appellant also could not resist the opinion of this Court that Rs.3,510/- can in all probability be taken as the income of the deceased as auto driver.

4. Hence, there is absolutely no reason to interfere with the order of the tribunal and the same is confirmed.

The civil miscellaneous appeal is accordingly dismissed. As a sequel, the miscellaneous applications, if any, shall stand disposed of as infructuous. There shall be no order as to costs.

February 17, 2017
DSK

T. RAJANI, J