

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

139

CR No.6480 of 2017
Date of decision: 22.09.2017

Rajwinder Kaur and others

..... Petitioners

Versus

Nawab Ali and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Arvind Kashyap, Advocate
for the petitioners.

ANIL KSHETARPAL, J. (ORAL)

This revision petition is against the order dated 13.07.2017.

On account of death of Randhir Singh, widow and two minor children had filed a claim petition under Section 166 of the Motor Vehicles Act for grant of compensation.

On the day of accident, Darbara Singh along with his son Randhir Singh and his grand-son Babandeep Singh were travelling on a motor-cycle. Darbara Singh was driving the motor-cycle.

Motor Accident Claims Tribunal found that child aged four years was sitting on the front of the motor-cycle and therefore, Darbara Singh was contributory negligent in the accident. His contributory negligence was assessed at 10%.

Learned Court assessed the compensation payable at Rs.6,10,000/-. However, while concluding Motor Accident Claim Tribunal due to over-sight has mentioned that Rs.6,10,000/- is payable to the

claimants by the Insurance Company.

During execution petition, the Court found that Insurance Company has already paid 90% of the amount of compensation. The Motor Accident Claim Tribunal has thus held that the award dated 20.10.2012 stands satisfied.

In view of what has been observed earlier, there is no reason to interfere with the order passed by the Court.

Revision petition is dismissed.

22.09.2017
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No