

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

FAO No.582 of 2001 (O&M)

Date of Decision: 20.9.2017

PEPSU Roadways Transport Corporation, Patiala and others

...Appellants

Versus

Smt. Bhagya Devi and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Ankit Aggarwal, Advocate for
Mr.Anupam Singla, Advocate for the appellants.

RAJIV NARAIN RAINA, J. (Oral)

1. This appeal has been filed by the Pepsu Road Transport Corporation, an organ of the State of Punjab, against the impugned award passed by the Motor Accident Claims Tribunal, Rohtak.

2. I have heard learned counsel for the appellant and have perused the paper-book available before this Court. It may be noted that this appeal was burnt in the fire broke out in the High Court some years ago and the paper-book has been reconstructed.

3. On a due consideration of the matter I am convinced that there is no scope for reduction in compensation in this appeal preferred by the appellant- Corporation against the award of the Motor Accident Claims Tribunal, Rohtak, filed in the year 2001 relating to a fatal motor accident which occurred in February, 1998.

4. The heads under which compensation has been awarded by the learned Tribunal have undergone a sea change with numerous judgments handed down by the Supreme Court, especially in Sarla Verma and others

vs. Delhi Transport Corporation and another, (2009) 6 SCC 121 and Rajesh vs. Rajbir Singh, (2013) 9 SCC 54 but that is for the claimants to appeal. As far as the appellants are concerned no interference is warranted.

5. The total amount of compensation awarded by the Tribunal is ₹3,47,600/- payable with interest at the rate of 12% per annum from the date of filing of claim petition which rate was appropriate for the year the award was made. The owner of the bus is the State Transport and the driver of the offending vehicle its employee. The Tribunal has recorded that there is overwhelming evidence of negligence in driving the stage carriage.

6. For the foregoing reasons, this appeal has no life and is dismissed.

20.9.2017
MFK

(RAJIV NARAIN RAINA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>