

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

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**FAO No.6005 of 2017 (O&M)
Date of decision: 25.09.2017**

IFFCO TOKIO General Insurance Co. Ltd.

..... Appellant

Versus

Naresh Kumari and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Ajay Singla, Advocate
for the appellant.

ANIL KSHETARPAL, J. (ORAL)

CM-19469-CII-2017

Delay of 37 days in filing the appeal is condoned and the application is allowed.

Main Case

Insurance company is in appeal against the award passed by the Motor Accident Claim Tribunal.

Learned counsel for the appellant has submitted that the Motor Accident Claim Tribunal had wrongly awarded 30% amount towards future prospects. He submits that this issue has been referred to the Larger Bench by the Hon'ble Supreme Court in the case of National Insurance Vs. Pushpa, 2015 (9), SCC 166.

Keeping in view that this is the only issue involved, the appeal is disposed of with a direction that Motor Accident Claim Tribunal would keep the amount representing the future prospects in a fixed deposit and would release the amount only after the decision by the Hon'ble Supreme Court in the above referred case.

Disposed of.

**(ANIL KSHETARPAL)
JUDGE**

25.09.2017
Dinesh Bansal

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No