

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.2241 of 1995 (O&M)
Date of decision:22.10.2018.

National Insurance Company Ltd.

...Appellant

Versus

Jaswant Singh and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. V. Ramswaroop, Advocate for the appellant.

None for the respondents.

LISA GILL, J.

This appeal has been filed by the Insurance Company challenging the award dated 21.07.1995 passed by Motor Accident Claims Tribunal, Fatehgarh Sahib. Claimants i.e. respondents No.1 to 4 in this appeal had filed the claim petition under Section 166 of the Motor Vehicles Act claiming compensation on account of death of Mukhtiar Kaur wife of respondent No.1 in a motor vehicle accident which took place on 03.06.1990. Mukhtiar Kaur was 57 years old at the time of accident. Treating the deceased to be a casual labourer, her income was assessed at Rs.800/- by the learned Tribunal. A multiplier of 10 was applied and compensation to the tune of Rs.60,000/- along with interest at the rate of 12% per annum was awarded by the learned Tribunal.

Learned counsel the appellant addresses arguments on the quantum of compensation awarded to the claimants/respondents. It is contended that the compensation awarded to the claimants is excessive and is required to be reduced.

Heard learned counsel for the appellant.

Dispensation of the compensation by learned Tribunal has been mentioned in the foregoing paras.

Keeping in view the judgments of the Hon'ble Supreme Court in National Insurance Company Ltd. Vs. Pranay Sethi and others, 2017 (4) RCR (Civil) 1009 and Magma General Insurance Company Ltd. Vs. Nanu Ram alias Chuhru Ram and others, in Civil Appeal No.9581 of 2018 decided on 18.09.2018 and other authoritative pronouncements, I do not find any ground whatsoever to interfere in the impugned award dated 21.07.1997 in this appeal preferred by the Insurance Company.

No other argument has been raised.

I do not find any illegality, infirmity or perversity in the impugned award passed by learned Motor Accident Claims Tribunal, Farehgarh Sahib at the instance of present appellant.

The appeal is accordingly dismissed with no order as to costs.

(LISA GILL)
JUDGE

October 22, 2018
Ishwar

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No