

202-3

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

FAO-609-2000

Date of decision : 24.01.2018

Gurmeet Singh and another

... Appellant(s)

Versus

Lal Chand and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Vinod Kumar Kataria, Advocate
for the appellant(s).

Mr. Paul S. Saini, Advocate
for the respondent(s)/Insurance Company.

AMIT RAWAL, J. (ORAL)

The present appeal has been filed by the claimants for enhancement of the compensation against the award dated 01.09.1999 rendered by the Tribunal, whereby the compensation of ₹10,000/- along with interest 12% per annum has been awarded on account of damages to the tractor in a motor accident occurred on 08.06.1995.

Learned counsel appearing on behalf of the appellants-claimants submits that the Tribunal has awarded the compensation to the tune of ₹10,000/-, which is on lower side. Tractor bearing Chassis No.BSN-186111 Engine No.NXC-187972 and Sr. No.NX-186111 was totally damages in the aforementioned accident and the tractor was purached after obtaining a loan from PADB, Jaittu Mandi (Punjab), thus, urges this Court for enhancement.

On the other hand, learned counsel appearing on behalf of the Insurance Company submits that the Tribunal has rightly awarded the compensation of ₹ 10,000/- towards the damages to the Tractor, aforementioned and there is no further scope of enhancement, thus, urges this Court for dismissal of the appeal.

I have heard the learned counsel for the parties and appraised the paper book and of the view that there is no likelihood of increase in the compensation as the Tribunal has rightly awarded the compensation of ₹10,000/- to the claimant on account of damages to the tractor, aforementioned. The insurance policy does not envisage any condition of awarding the compensation on account of damages to the vehicle more than the one as prescribed under Section 147 of the Motor Vehicles Act. Accordingly, I do not find any illegality and perversity in the findings rendered by the Tribunal and the same are hereby upheld.

Resultantly, the appeal is dismissed.

24.01.2018
Yogesh Sharma

(AMIT RAWAL)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No