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FAO No. 3932 of 2007

Paramjit Kaur and others

vs.

Manjit Singh and others

Present: Mr. Sherry K. Singla, Advocate
for the appellants

Mr. R.C.Kapoor, Advocate &
Mr. Vinod Gupta, Advocate for
United India Insurance Co. Ltd.

* * * *

Appellants are the widow and children of deceased-Darshan Singh, who died in a motor vehicular accident that had taken place on 10.10.2003. They were awarded a compensation of ₹ 3,45,000/- vide award dated 18.8.2007 by MACT, Sangrur wherein it was ordered that the amount of compensation will be paid by the Insurance Company but with recovery rights of the same from respondents No.1 & 2 i.e. driver and owner of the vehicle.

They have filed the present appeal seeking enhancement of compensation.

Meanwhile, the owner and the driver also filed FAO No. 4945 of 2007 challenging the said award wherein vide order dated 21.4.2008 the said award was set aside and the case was remanded back to MACT, Sangrur for fresh decision allowing Kewal Krishan (owner) to produce additional evidence with regard to the validity of the driving licence.

Learned MACT after remand passed a fresh award of ₹ 5,40,000/- on 11.10.2010, in favour of the claimants fastening the liability on the Insurance Company holding that the Insurance Company is no longer entitled to recover from the owner and driver.

The impugned award has already been set aside as referred to above. The amount of compensation has also been enhanced from ₹ 3,45,000/- to ₹ 5,40,000/-. There seems no appeal against the subsequent award dated 11.10.2010.

In view of the said situation, the present appeal stands dismissed as infructuous.

Copy of the order be supplied/sent to learned counsel/parties.

(K.C.Gupta)
President

(Arvind Kumar)
Member

27.02.2018
Janki