

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

Date of Decision: 16.03.2018

1. FAO No.6545 of 2010

Kawalpreet Singh and others	Appellants
Vs.	
Satish Kumar and others	Respondents

2. FAO No.6547 of 2010

Kawalpreet Singh	Appellant
Vs.	
Satish Kumar and others	Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Sukhjit Singh, Advocate for the appellants.

Mr. Inderjit Sharma, Advocate for respondent No.2.

Mr. Rajesh K. Sharma, Advocate for respondent No.3.

RAMENDRA JAIN, J. (Oral)

Both the sides are ad idem that the impugned award is patently illegal for not considering the monthly income of the deceased despite the fact that he was a permanent railway employee on the basis of salary slip Ex.C.8 produced on record, forgetting that the proceedings before the Motor Accident Claims Tribunal are summary in nature.

In view of joint prayer made by both the sides, the impugned award dated 15.04.2010 is set aside. Both the appeals are remanded back to the concerned Tribunal to decide the claim petition of the appellant(s) in accordance with law, affording proper opportunity to the parties to adduce their evidence.

Disposed of.

A photocopy of this order be placed on the file of connected
case.

March 16, 2018
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(RAMENDRA JAIN)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No