

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

**FAO No.257 of 2014 (O&M)
Date of Decision:08.03.2018**

Shri Ram General Insurance Co. Ltd.Appellant
Vs.
Rajesh Kumar and othersRespondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Tajender K. Joshi, Advocate for the appellant.

RAMENDRA JAIN, J. (Oral)

CM No.882-CII of 2014

For the reasons mentioned in the application, the same is allowed. Delay of 72 days in filing the appeal is condoned.

FAO No.257 of 2014

Through this appeal, Insurance Company has laid challenge to the impugned award dated 27.07.2013 of the Motor Accident Claims Tribunal, Rohtak holding it jointly and severally liable to make payment of compensation of ₹6,09,400/- to the respondents- claimant No.1 to 4.

Learned counsel for the appellant inter-alia contends that out of four respondents- claimant, three were major sons and one was married daughter of the deceased Ishwer Singh at the time of his alleged accidental death. Therefore, they could not have been treated as dependant upon the deceased Ishwer Singh by the learned Tribunal. Resultantly, the impugned award is erroneous, granting compensation to the non-dependants of the deceased.

Having given thoughtful consideration to the submissions made by learned counsel for the appellant, I find the instant appeal completely devoid of any merit for the simple reason that a co-ordinate Bench of this Court vide judgment dated 22.12.2015 passed in case **National Insurance Company Limited v. Jashanjeet Singh and others, 2016(2) R.C.R. (Civil) 542** has held that the claimant who is not even dependant on the deceased father is also entitled for compensation.

The facts of the present case are squarely covered by the aforesaid judgment.

In view of the discussion made above, the appeal is dismissed.

Amount of ₹25,000/- deposited before this Court as a condition precedent to file this appeal be sent to the concerned Motor Accident Claims Tribunal, Rohtak for onward disbursement of the same to the claimants in accordance with law against proper receipt and identification.

March 08, 2018
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(RAMENDRA JAIN)
JUDGE

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