

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

Date of decision: 23.04.2018

FAO No.4260 of 2013 (O&M)

Smt. Esha Grover and another

... Appellants

Versus

Balbir Singh and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Pankaj Mehta, Advocate
for the appellants.

Mr. Banni Thomas, Advocate
for Oriental Insurance Co. Ltd.

Mr. Vinod Gupta, Advocate
for New India Assurance Co. Ltd.

REKHA MITTAL, J. (Oral)

The present appeal directs challenge against the award dated 06.03.2013 passed by the Motor Accidents Claims Tribunal, Hisar whereby compensation to the tune of Rs.1,20,000/- has been awarded i.e. Rs.50,000/- under 'no fault liability', Rs.50,000/- for loss of love and affection and Rs.20,000/- on account of funeral expenses.

Counsel for the appellants would urge that even if claim of Smt. Esha Grover stated to be widow of the deceased Manoj Grover is rejected by affirming findings of the Tribunal recorded in para 28 of the award, Vinit Grover (minor), brother of deceased Manoj Grover is entitled

to get compensation.

Counsel for the insurance company would state that the application for compensation is liable to be dismissed for want of impleading other legal representatives of Manoj Grover.

Counsel for the parties are *ad idem* that the appeal may be disposed of, award passed by the Tribunal be set aside and the matter be remitted to the Tribunal for decision afresh after permitting the appellants to implead all the legal representatives of deceased Manoj Grover as a party.

In view of the above, the appeal stands disposed of, award passed by the Tribunal is set aside and the matter is remitted to the Tribunal for decision afresh after permitting the appellants to implead all the legal representatives of deceased Manoj Grover as a party. The Tribunal shall decide the claim for compensation without being influenced by any observations made in the impugned award. The parties through their counsel are directed to appear before the Tribunal on 23.05.2018.

In the meanwhile, the insurance company shall not recover compensation, if any, already paid to the claimants.

23.04.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No