

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

Date of decision: 27.03.2018

FAO-3860-2015 (O&M)

Megha Sharma

... Appellant

Versus

Sonu and others

... Respondents

FAO-3892-2015 (O&M)

Khem Chand and another

... Appellants

Versus

Sonu and others

... Respondents

FAO-5012-2015 (O&M)

Vijay Kumar and others

... Appellants

Versus

Sonu and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Kamal Chaudhary, Advocate
for the appellant in FAO Nos.3860 and 3892 of 2015.

Mr. Vikram Bali, Advocate
for the appellants in FAO No.5012 of 2015.

Mr. B.S. Sudan, Advocate
for respondents No.1 and 2.

Mr. Sanjeev Goyal, Advocate
for the insurance company.

REKHA MITTAL, J. (Oral)

This order will dispose of FAO Nos.3860, 3892 and 5012 of 2015 as these have emerged out of award dated 07.04.2015 passed by the Motor Accidents Claims Tribunal, Panchkula whereby compensation has been awarded on account of death of Rajesh Kumari in a motor vehicular accident that took place on 03.05.2014.

All these appeals have been preferred by different sets of claimants seeking enhancement of compensation.

Counsel for the appellants are ad idem that they do not press the appeals seeking enhancement of compensation at this stage. They have further agreed that compensation paid to Vijay Kumar, husband of the deceased to the extent of Rs.8,40,400/-, Khem Chand, father of the deceased Rs.8,50,000/- and Champa Devi, mother of the deceased Rs.8,50,000/- be paid to Megha Sharma, daughter of the deceased by way of modification of the award. They have further prayed that the appeals may be disposed of but without prejudice to right of the appellants to seek their revival in case the insurance company prefers an appeal at some later stage.

In view of the above, the appeals stand disposed of. The award passed by the Tribunal is modified to the limited extent that amount of compensation held to be payable to the husband and parents of deceased, as per para 43 of the award, shall be payable to Megha Sharma, daughter of the deceased in addition to Rs.20,00,000/- ordered to be paid to her. In case

the insurance company prefers an appeal, the appellants would be at liberty to seek their revival (appeals) by filing an appropriate application.

27.03.2018
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(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No