

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

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**FAO-4141-2016 (O&M)
Date of Decision : 12.7.2018**

Karamjit Kaur

..... Appellant

Versus

Mohamad Shamshad and others

.... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. R.S.Randhawa, Advocate
for the appellant.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the Award dated 28.1.2016 passed by the Motor Accident Claims Tribunal, Patiala awarding an amount of Rs. 13,49,000/- alongwith interest at the rate of 6% per annum on account of death of Manpreet Singh @ Joban.

Notice of motion.

Ms. Vandanaa Malhotra, Advocate entered appearance on behalf of the respondent-insurance company and accepts notice.

Counsel for the appellant has supplied a copy of the paper book to the learned counsel for respondent No.3.

Counsel for the appellant states that on account of future prospects nothing has been granted. On the other hand counsel for the insurance company points out that there was no proof of income of the deceased and the Tribunal took the income at the rate of Rs. 12,000/- per

month and as per law, once there was no proof of income the deceased has to be taken as unskilled worker and income of Rs.12,000/- is highly inflated because on that date minimum wages were Rs.5547/-. Moreover, a sum of Rs.1,25,000/- has been awarded under the conventional heads. In the circumstances, there is no scope of increase in compensation.

I find weight in the argument of counsel for the insurance company.

Consequently, the appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

12.7.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No