

FAO- 1552 of 2017(O&M)
Date of Decision: 5.12.2018

Khushprit Kaur and others

---Appellants

versus

Jagmail Singh and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Rajbir Singh, Advocate
for the appellants**

Rekha Mittal, J.

The claimants are in appeal seeking enhancement of compensation on account of death of Arshpreet Kaur daughter of Gurmit Singh, aged about 13 years.

The Motor Accidents Claims Tribunal, Sangrur (in short “the Tribunal”) by relying upon judgment of Hon'ble the Supreme Court **Kishan Gopal vs. Lala, 2013(5) Recent Apex Judgments 222** has awarded compensation of Rs. 5 lakhs. As the Tribunal has assessed income of the deceased at Rs. 30,000/- per annum as against Rs. 15,000/- per annum available to a non earning person, in view of the provisions of Section 163-A of the Motor Vehicles Act, 1988, I do not find any reason/justification for allowing compensation over and above what has been allowed by the Tribunal.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine. As the appeal has been decided on merits, application

for condonation of delay is of academic relevance.

(Rekha Mittal)
Judge

5.12.2018

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No