

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

**F.A.O. No.1579 of 2018(O&M)
Date of Decision: 23.03.2018**

Oriental Insurance Company Limited

....Appellant

Versus

Smt. Bhateri & ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Ms. Priya Deep, Advocate, for
Mr. Ashwani Talwar, Advocate,
for the appellant.

RAMENDRA JAIN, J. (ORAL)

Appellant-Insurance Company has laid challenge to the impugned award dated 04.01.2018 of the learned Motor Vehicle Accident Claims Tribunal, Sonapat (for short 'the Tribunal') awarding ₹12,39,600/- along with 7.5% interest to respondents No.1 and 2-claimant on account of death of their son on 31.01.2017 in a motor vehicular accident.

Learned counsel for the appellant *inter alia* contends that learned Tribunal has wrongly and illegally taken the notional income of the deceased at ₹8,000/- per month though the deceased, being a student, was not earning the same at the time of his death.

Having given considerable thought to the submission made by learned counsel for the appellant, this Court finds that there is no merit in the instant appeal for the reason that learned Tribunal has taken notional income of the deceased at ₹8000/- on the basis of minimum wages for a unskilled worker prevalent at the time of death of the son of the claimants. Therefore, there is no scope for interference in the impugned award.

Accordingly, this appeal is dismissed.

23.03.2018
monika

**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No