

116

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.M. No.533-CII of 2018 in/and
FAO No.4845 of 2017(O&M)
Date of Decision: 18.01.2018

United India Insurance Company Limited

... Appellant

Versus

Paramjit Kaur & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Ashwani Talwar, Advocate,
for the appellant.

Mr. Ashwani Arora, Advocate,
for respondents No. 1 & 2.

RAMENDRA JAIN, J.(Oral)

C.M. No.754-C of 2018

Through the instant application prayer is made for preponement
of the main appeal.

Heard.

Learned counsel for respondents No.1 & 2 submits that he has no
objection, in case the main appeal is preponed.

Accordingly, the main appeal is preponed and is taken up for
hearing today.

FAO No.4845 of 2017(O&M)

Learned counsel for the appellant-Insurance Company submits
that learned Motor Accidents Claim Tribunal, Chandigarh, has erred in
awarding compensation to the tune of ₹27,49,500/- without taking into

consideration a latest judgment of the Apex Court in National Insurance Company Ltd. Vs. Pranay Sethi & ors., 2017 AIR (SC) 5157, according to which maximum compensation, which could have been granted to respondents No.1 & 2-claimants comes to ₹24,26,200/-

Learned counsel for respondents No.1 & 2 has fairly conceded to the aforesaid arguments of the learned counsel for the appellant-Insurance Company.

In view of the discussion made above, the impugned award dated 31.1.2017 of the Motor Accidents Claim Tribunal, Chandigarh, is modified to the effect that respondents No.1 & 2-claimants shall be entitled to compensation of ₹24,26,200/- instead of ₹27,49,500/-. Rest of the terms and conditions qua interest and costs etc. in the impugned award shall remain the same.

The appeal stands disposed of accordingly.

18.01.2018
monika

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No