

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision : 26.11.2018

1.

FAO No.5301 of 2017 (O&M)

New India Assurance Company Limited

..... Appellant

Versus

Suman Singh and others

..... Respondents

2.

FAO No.2134 of 2018 (O&M)

Suman Singh and another

..... Appellants

Versus

Rohit and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S.P.Arora, Advocate
for the appellant (FAO-5301 of 2017)
for respondent No.3 (FAO-2134-2018).

Mr. Ram Pal Verma, Advocate
for the appellants (FAO-2134-2018)
for respondents No.1 and 2 (FAO-5301-2017).

Mr. R.P.Daaria, Advocate
for respondent No.4 (FAO-5301-2017)
for respondent No.2 (FAO-2134-2018).

AJAY TEWARI, J. (Oral)

This order shall dispose of above mentioned two appeals.

These appeals have been filed against the award dated 17.05.2017 passed by the Motor Accident Claims Tribunal, Sonipat for the death of Rajan Singh in an accident which took place on 26.07.2016.

Since a very limited point has been raised further detailed reference to the facts is not necessary.

Learned counsel for the insurance company in FAO-5301-2017 has argued that future prospects of 50% could not be granted in view of the judgment passed in *National Insurance Company Ltd. vs. Pranay Sethi and others, 2017(4) RCR (Civil)1009*. I find this to be indeed so. It is held that 40% has to be awarded towards future prospects.

Counsel for the claimants in FAO-2134-2018 further points out that under the conventional heads the tribunal has awarded Rs.25,000/- only which is very low. Consequently, I award a sum of Rs.45,000/- more under this head in view of the judgment passed in *Sureshchandra Bagmal Doshi & anr. Vs. The New India Assurance Company Limited & ors, 2018(2) RCR (Civil) 841*. Rest of the award shall remain same.

With the modification both the appeals are disposed of.

Since the main cases have been decided, the pending civil miscellaneous applications, if any, also stand disposed of.

26.11.2018
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No