

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

FAO No.3352 of 2018 (O&M)

Date of Decision: 03.10.2018

Mukhtiar Kaur

... Appellant

Versus

Soni Singh and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Rajbir Singh, Advocate,
for the appellant.

TEJINDER SINGH DHINDSA, J.(ORAL)

This is a claimant's appeal seeking enhancement of compensation.

Briefly noticed that the Motor Accident Claims Tribunal, Sangrur vide award dated 17.07.2017 has awarded a total compensation amount of Rs.4,35,000/- in favour of the claimant/appellant herein, namely, Mukhtiar Kaur on account of death of her husband, namely Bant Singh in a motor vehicle accident that took place on 11.06.2016.

The sole contention raised by counsel representing the appellant is that income of the deceased has been assessed as Rs.8000/- per month and which is much on the lower side.

No other point has been urged.

Perusal of the impugned award would reveal that age of the deceased has been accepted as 70 years, as had been mentioned in the Aadhar Card. Claimant had asserted that the

deceased was earning Rs.25,000/- per month while doing agricultural work and by selling milk.

A finding of fact has been recorded by the Tribunal that the land which was owned by the deceased prior in point of time had already been transferred in the name of his sons. No other evidence had been adduced on record to substantiate the plea with regard to deceased earning income by selling milk.

Under such circumstances, keeping in view the age of the deceased to be 70 years as on the date of the accident, no intervention would be required as regards his notional monthly income having been assessed at Rs.8000/-.

Counsel further does not dispute that the amount of compensation awarded on various parameters would not require re-assessment in the light of parameters laid down by the Apex Court in *Smt. Sarla Verma and others Vs. Delhi Transport Corporation and another 2009 (3) RCR (Civil) 77 and National Insurance Company Limited Vs. Pranay Sethi and others, 2017 (4) RCR (Civil) 1009*.

No merit.

Appeal dismissed.

Pending application(s), if any, shall also stand disposed of.

03.10.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No