

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

Date of decision: 25.9.2018

1.

FAO No. 5903 of 2018(O&M)

New India Assurance Co. Ltd.

.....Appellant

VERSUS

Minakshi Sharma and others

.....Respondents

2.

FAO No. 5904 of 2018(O&M)

New India Assurance Co. Ltd.

.....Appellant

VERSUS

Aditya Battra and another

.....Respondents

3.

FAO No. 5905 of 2018(O&M)

New India Assurance Co. Ltd.

.....Appellant

VERSUS

Gaurav Redhal and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

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

REKHA MITTAL, J. (Oral)

This order will dispose of FAO Nos.5903, 5904 and 5905 of 2018 as these have emerged out of the same award dated 13.07.2018 passed by the Motor Accidents Claims Tribunal, Panchkula (in short 'the Tribunal') whereby compensation has been assessed on account of death of

Karan Sharma in claim preferred by his parents and injuries sustained by Aditya Battra and Gaurav Redhal in a motor vehicular accident that took place on 31.10.2015.

The sole submission made by counsel for the appellant – insurance company is that the Tribunal has assessed income of each of the victims at Rs.15,000/- per month for computing compensation with regard to death of Karan Sharma and permanent disability suffered by Aditya Battra and Gaurav Redhal.

Karan Sharma was a student of B.Tech (Mechanical) in Canada. Aditya Battra was a student of B.Tech in Computer Science in Chitkara University, Rajpura. The third victim was a student of Army Institute of Law, Mohali. Taking into consideration that all the three victims would have bright future after completion of their education from prestigious institutions, it is difficult to accept contention of insurance company that income of Karan Sharma, Aditya Battra and Gaurav Redhal assessed by the Tribunal is on higher side and needs reduction.

No other point has been raised.

For the foregoing reasons, the appeals fail and are accordingly dismissed in limine. No order as to costs. However, nothing stated hereinbefore shall cause prejudice to the claimants if they prefer an appeal for enhancement of compensation.

SEPTEMBER 25, 2018

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned :

yes/no

Whether reportable :

yes/no