

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

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FAO-6507-2018 (O&M)
Date of decision: 17.10.2018

ORIENTAL INSURANCE COMPANY LTD

... Appellant

Versus

KITABO DEVI AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Vinod Chaudri, Advocate for the appellant.

REKHA MITTAL, J. (Oral)

The present appeal directs challenge against award dated 25.07.2018 passed by the Motor Accident Claims Tribunal, Kurukshetra whereby compensation has been awarded on account of death of Shamsheer Singh in a motor vehicular accident that took place on 19.01.2017.

The sole submission made by counsel for the appellant is that as the Tribunal has deducted only 50% of amount available to family of the deceased under Haryana Compassionate Assistance to Dependents of deceased Government Employees Rules 2006, award passed by the Tribunal is liable to be modified by allowing deduction to the extent of 100%, in the light of judgment of Hon'ble the Supreme Court **Reliance General Insurance Co. Ltd. Vs. Shashi Sharma, 2016(4) RCR (Civil) 569.**

The controversy raised in the present appeal is no longer res integra in the face of judgment of this Court **Kamla Devi and others Vs. Sahib Singh and others, FAO No.3064 of 2013, decided on 30.11.2017,**

affirmed by Hon'ble the Supreme Court in **SLP No.5926 of 2018, Reliance General Insurance Co. Ltd. Vs. Kamla Devi and others**, decided on **14.03.2018**, therefore, contention raised by the insurance company is not meritorious and liable to be rejected.

No other point has been raised.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine.

17.10.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No