

**RA-CR No.28-CII of 2017 in
FAO No.4468 of 2015**

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

**RA-CR No.28-CII of 2017 in
FAO No.4468 of 2015
Date of Decision.20.03.2018**

National Insurance Company Limited

.....Appellant

Vs

Santosh Devi and others

.....Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Ms. Gurjit Kaur Sandhu, Advocate
for the applicant-respondent Nos.1 to 4.

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AMIT RAWAL J.(ORAL)

C.M. No.5434-CII of 2017

For the reasons stated in the application, delay of 262 days in
filing the review application is condoned.

Application is allowed.

R.A. No.28-CII of 2017

The review application has been preferred at the instance of the
claimants with a prayer to review the order dated 17.05.2016 whereby this
Court allowed the appeal preferred by the insurance company and reduced
the amount of compensation from ₹9,08,000/- to ₹4,53,300/-.

Ms. Gurjit Kaur, learned counsel appearing for the review
applicant submits that there was no representation when the aforementioned
order was passed, thus, the claimants were not provided any opportunity to
present their defence. Had they been given a chance to present their case,
the result would have been different than the one arrived at.

This court called upon the counsel for the review applicant to

point out any error apparent on the face of record but she is not able to point

out the same. It is a case where in the claim petition filed under Section 163-A of the Motor Vehicles Act, the scales of compensation were adopted as though it was a claim petition made under Section 166 of the Motor Vehicles Act. It is in this eventuality, this Court vide judgment dated 17.05.2016 reduced the compensation by computing the same by applying the formula prescribed under Schedule II of Section 163-A of the Motor Vehicles Act.

There is nothing wrong in the judgment passed by this Court which requires to be reconsidered. The review application stands dismissed.

**(AMIT RAWAL)
JUDGE**

March 20, 2018
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No