

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

**FAO No.3263-2005(O&M)
Date of decision: 15.05.2019**

National Insurance Company Limited

.....Appellant

versus

Bhajan Singh and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Neeraj Khanna, Advocate for the appellant

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Heard.

Claim petition was filed under Section 163A of Motor Vehicles Act, 1988 and compensation to the claimants-injured was granted to the tune of Rs.25,000/- under Section 140 of the Motor Vehicles Act, 1988.

The Insurance company has come up in appeal.

Apex Court in Eshwarappa @ Maheshwarappa and another vs. C.S. Gurushanthappa and another, 2010 AIR (SC) 2907, held that compensation under Section 140 of the Motor Vehicles Act, 1988 can be granted under Section 163A of the Motor Vehicles Act, 1988. Similar view was taken in another case in Deepal Girishbhai Soni and others vs. United India Insurance Co. Ltd. Baroda, (2004-2) PLR 271.

As such, there is no force in the present appeal.

The same is accordingly dismissed.

15.05.2019
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes
No