

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

FAO No.2203 of 2016 (O&M)

Date of Decision: October 01, 2019

Hasina and others

...Appellants

Versus

National Insurance Co. Ltd. and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the appellants.

Mr. Rajbir Wasu, Advocate
for respondent No.1-Insurance Company.

JAISHREE THAKUR, J. (Oral)

This is an appeal that has been filed seeking to challenge the award dated 05.08.2015 passed by the Motor Accident Claims Tribunals, Kurukshetra whereby, compensation to the tune of ₹ 17,30,120/- has been allowed to the appellants-claimants on account of death of Liyakat Ali.

The Tribunal has assessed the monthly income of the deceased as ₹ 8100/- per month, based on the rates of the daily wages for the year 2014-15 and thereafter, added increase of 30% towards the future prospects and allowed the deduction of 1/3rd towards personal and living expenses, considering two dependents namely Smt. Hasina widow and Sitara unmarried daughter. Further, the Tribunal has allowed a sum of ₹ 1,00,000/- towards loss of love and affection to widow Smt. Hasina and a

sum of ₹ 1,00,000/- each to other five claimants towards loss of love and affection. Apart from that, the Tribunal has allowed a sum of ₹ 25,000/- towards last rites and funeral expenses and sum of ₹ 10,000/- towards transportation charges. Aggrieved against the award of the Tribunal, the instant appeal has been preferred.

Today, no one has put in an appearance on behalf of the appellants-claimants. Similar was the position, when the notice of motion was issued on 25.09.2018 and the subsequent date fixed i.e. 26.03.2019. On computation of the compensation to be allowed to the appellants-claimants in terms of the judgment rendered in *National Insurance Company Limited Vs. Pranay Sethi and others 2017 (4) R.C.R. (Civil) 1009*, this court finds that compensation as awarded is in excess thereto. Since the Insurance Company has not preferred any appeal against the award of the Tribunal, as has been disclosed by counsel for respondent No.1-Insurance Company on the asking of the court, this court finds no ground to enhance the compensation.

The appeal stands dismissed accordingly.

October 01, 2019
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No