

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

F.A.O. No. 3448 of 2016

DATE OF DECISION :- May 06, 2019

Rishi Pal and another

...Appellants

Versus

Sukhi Ram and others

...Respondents

F.A.O. No. 3811 of 2016

Om Parkash and another

...Appellants

Versus

Sukhi Ram and others

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Ms. Parveen Maan, Advocate
for Mr. R.S. Budhwar, Advocate for the appellants.

Mr. Vinod Gupta, Advocate for the Insurance Company.

On account of death of Vikas Kumar and Brij Bhushan in a motor vehicular accident, which took place on 20.11.2013 at about 11.00 A.M. at National Highway, G.T. Road, Police Station Madhuban, Karnal statedly on account of rash and negligent driving of truck Tata LP bearing registration No. HR38H-5777 by respondent No. 1 Sukhi Ram, legal representatives of both the deceased had brought claim petitions under

Section 166 and 140 of the Motor Vehicles Act.

Notice of both the claim petitions was given to the respondents, who put in appearance and offered a contest, however, vide consolidated Award dated 5.2.2016, the Motor Accident Claims Tribunal, Karnal had accepted both the applications and awarded compensation of Rs.10,90,000/- in both the applications. Interest at the rate of 7.5% per annum was also granted on the said amount along with cost of the applications. The details of the apportionment and other terms and conditions are mentioned in the Award. The claimants in both the cases were not satisfied with the amount of compensation awarded to them by the Tribunal and have approached this Court by way of filing the present appeals.

Notice of the appeals was given to respondent No. 3-Insurance Company, which has put in appearance.

I have heard learned counsel for the parties besides going through the record and I find that the Tribunal considering the ages of the deceased, their marital status being single, their monthly income and other necessary factors has awarded compensation which is just and equitable and there is no scope for enhancement for the same.

The appeals are found to be without merit and are dismissed accordingly.

(H.S. MADAAN)
JUDGE

May 06, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No