

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

F.A.O. No. 4028 of 2017

DATE OF DECISION :- September 02, 2019

Radha Devi and others

...Appellants

Versus

Rajender Parshad and another

...Respondents

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

Present:- Mr. Dheeraj Narula, Advocate for the appellants.

C.M. No.13022-CII of 2017

This is an application for condonation of delay of 43 days in filing of the appeal. For the reasons mentioned in the application, the application is allowed and delay is condoned.

F.A.O. No. 4028 of 2017

Due to death of Mohan Lal in a motor vehicular accident which took place on 16.4.2015 at about 10.A.M. in the area of 1-1½ Kms near to village Farwain Kalan, statedly on account of rash and negligent driving of a Car bearing registration No. HR24-M-7520 driven by respondent No. 1 Rajender Parshad, his legal heirs i.e. wife Radha Devi, aged about 54 years, son Ramesh Kumar, aged about 28 years and minor daughter Jyoti Rani, aged about 12 years had brought a claim petition under Section 166 of Motor Vehicles Act, 1988 against respondents i.e. Respondent No. 1- Rajender Parshad-driver and owner of Car No. HR-24M-7520 and

respondent No. 2-National Insurance Company Ltd. Sirsa.

On notice, both the respondents had appeared and contested the claim petition. Issues on merits were framed. The parties were given adequate opportunities to lead evidence.

After hearing the arguments, the Tribunal accepted the application and granted compensation of Rs.7,80,236/- with interest at the rate of 7.5% per annum from the date of filing of claim petition till realization. The liability to pay this amount being jointly and severally.

I have gone through the award and I find that the compensation awarded is just and equitable, keeping in view the age, avocation of the deceased and number of dependents upon him. There is no scope to enhance the compensation by way of acceptance of the appeal, therefore, the appeal stands dismissed.

(H.S. MADAAN)
JUDGE

September 02, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No