

**FAO No. 246 of 2018 (O&M) and
FAO No. 255 of 2018 (O&M)**

:1:

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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FAO No. 246 of 2018 (O&M)

Date of decision : December 13, 2019

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United India Insurance Company Limited, Chandigarh
through its Deputy Manager

.....Appellant

Versus

Smt. Mamta and others

.....Respondents

FAO No. 255 of 2018 (O&M)

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United India Insurance Company Limited, Chandigarh
through its Deputy Manager

.....Appellant

Versus

Smt. Saroj Bala and others

.....Respondents

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CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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Present: Mr. D.P Gupta, Advocate for the appellant.

Mr. Sanchit Punia, Advocate for the respondents .

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RITU BAHRI, J.

By way of this single order, two appeals bearing **FAO No. 246
of 2018** (United India Insurance Company Limited, Chandigarh through its
Deputy Manager vs. Smt. Mamta and others) and **FAO No.255 of 2018**

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FAO No. 255 of 2018 (O&M)**

:2:

(United India Insurance Company Limited, Chandigarh through its Deputy Manager vs. Smt. Saroj Bala and others) shall be decided as both these appeals involve similar set of facts and circumstances and common question of law arises for consideration in both of them. For the sake of convenience, facts are being extracted from FAO No 246 of 2018.

The appellant-United India Insurance Company Limited has come up in the present appeal against the award passed by the Motor Accident Claims Tribunal, Hisar (hereinafter referred to as 'the Tribunal') dated 11.9.2017, whereby in MACT Case No.52 of 2015, claimants Mamta, Raghubir and Bhateri Devi, widow and parents of the deceased respectively were awarded a sum of Rs.11,19,800/- on account of death of Sonu in a motor vehicle accident that took place on 5.3.2015, whereas in MACT Case No.51 of 2015, claimants i.e Smt. Saroj Bala, Smt. Roshani Devi and Subhash, widow and parents of the deceased respectively were awarded a sum of Rs.29,48,200/- on account of death of Rakesh in the similar accident.

Counsel for the respondents submits that FAOs No. 6137-38 of 2018 filed by the claimants (in MACT Case No.51 of 2015 and MACT Case no.52 of 2015) have already been allowed by this Court on 1.11.2019 and the Insurance Company has not disputed the finding given on issue no. 1 in the award dated 11.9.2017 passed by the Motor Accidents Claims Tribunal, Hissar. This judgment has attained finality as no appeal has been filed against the same by the Insurance Company.

Counsel for the Insurance Company states that he has not received any information with respect to the order passed in FAOs No. 6137-38 of 2018.

Heard counsel for the parties and gone through the records of

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the case. The finding of the Tribunal on issue no.1 in the award dated 11.9.2017 does not require any interference. Moreover, keeping in view that the claimants' appeals have been allowed and the Insurance Company has not filed any appeal against the aforesaid order, appeals filed by the Insurance Company are hereby dismissed.

13.12.2019 (RITU BAHRI)
ritu JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No