

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

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FAO No.6426 of 2017 (O&M)

Date of decision: 13.05.2019

AMIT KUMAR & ANR

... Appellants

Versus

ISHWAR & ANR

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. MS Khaira, Advocate for the appellants.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Satpal Singh in a motor vehicular accident that took place on 08.11.2013.

Deceased Satpal Singh was borrower of motorcycle No.HR 51-AE-7214, owned by Ishwar respondent No.1 therein. The claimants have been awarded a sum of Rs.50,000/- by relying upon judgment of Hon'ble the Supreme Court **Eshwarappa Vs. CS Gurushanthappa, 2010 ACJ 2444 (SC)**.

The controversy raised in the present appeal is squarely covered against the appellants in the light of judgment of this Court **Reliance General Insurance Company Ltd. VS. Jaswinder Pal Kaur and others, FAO No.1840 of 2015, decided on 22.08.2017**. As such, there is no justification for allowing compensation more than what has been assessed by the Tribunal.

In view of what has been discussed hereinbefore, finding no merit, the appeal fails and is accordingly dismissed in limine. As the appeal has been decided on merits, application for condonation of delay is of academic relevance.

13.05.2019

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**(REKHA MITTAL)
JUDGE**

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No