

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

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FAO-7947-2017

Date of Decision : 29.11.2019

Kamlesh and others

..... Appellants

Versus

Salinder and others

..... Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Sandeep Goyal, Advocate
for the appellants.

Mr. Rakesh Gupta, Advocate
for respondent No.1.

Mr. Sanjiv Gupta, Advocate
for respondent No.2-UT Chandigarh.

Mr. Mayank Gupta, Advocate for
Mr. Vinod Gupta, Advocate
for respondent No.3.

NIRMALJIT KAUR, J. (ORAL)

Learned counsel for the appellant praying for enhancement of the compensation granted vide award dated 18.01.2017 submitted that the income has been assessed on the lower side. The deceased was a mason and only Rs.8,000/- has been held to be the income. The said argument has no merit. Admittedly, no evidence was placed on record to show that the deceased was a mason. Therefore, the income assessed as Rs.8,000/- on the basis of minimum wages of a skilled labourer prevalent at that point of time was taken. Hence, there is no scope for enhancing the income so assessed. It is further stated that only 30% has been granted towards future prospects .

In fact, the claimants are entitled to 25% towards future prospects as per the judgment rendered in the case of **National Insurance Company Ltd. vs. Pranay Sethi and Ors., 2017 AIR (SC) 5157.**

No other argument has been raised.

Accordingly, the appeal is dismissed being devoid of any merit.

29.11.2019
anju

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No