

FAO No.2767 of 2016

Date of Decision: 21.11.2019

Sumitra and others

....Appellants

Versus

Raj Kumar and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Deepak Choudhary, Advocate, for the appellants.

Mr. Vinod Gupta, Advocate, for the Insurance Company.

NIRMALJIT KAUR, J. (ORAL)

The present appeal is filed for enhancement of compensation granted vide award dated 3.11.2015 passed by the Motor Accident Claims Tribunal, Fatehabad.

While praying for enhancement, learned counsel for the appellants submitted that nothing has been granted under the head of future prospects.

On the other hand, learned counsel for the Insurance Company submitted that the claim petition was filed under Section 163-A of the Motor Vehicles Act, 1988 (for short, 'the Act'). The claimants have already been granted maximum amount as per the schedule provided under Section 163-A of the Act and there is no scope for enhancement. Under Section 163-A of the Act, there is no provision for granting any future prospects.

Learned counsel for the appellant has not been able to point out any provision of law or the judgment contrary to the same except the judgment of Hon'ble the Supreme Court rendered in the case of National

680. However, the same does not help as there is no direction or observation nor it is held that future prospects should be granted in case compensation is granted in pursuance to the claim petition filed under Section 163-A of the Act.

In view of the above, the present appeal is dismissed.

(NIRMALJIT KAUR)
JUDGE

21.11.2019

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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No