

FAO No.6689 of 2019 (O&M)
Date of Decision: 6.11.2019

ICICI Lombard General Insurance Company Limited

....Appellant

Versus

Mohini Sonkar and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. Rajbir Singh, Advocate for
Mr. Sanjeev Goyal, Advocate, for the appellant.**NIRMALJIT KAUR, J. (ORAL)**

Learned counsel for the appellant while praying for setting aside the award to the extent, vide which, the income of the deceased has been assessed ₹7,500/- per month, submitted that there was no evidence produced to show that the deceased was earning the said amount, and that the minimum wages should have taken into consideration, which at that point of time was ₹ 4,734 month towards a skilled labourer.

As per the claimants, the deceased at that point of time was coming back after supplying poultry farm material. There is no reason to disbelieve the said statement of the claimants and in any case, they claimed ₹ 15,000/- per month, whereas, the Court has assessed the income of the deceased only ₹ 7,500/- per month, which is 50% of the claimed amount, which amounts to only about ₹ 250/- per day and an able bodied person, who is 36 years of age, he must be surely earning more than ₹ 7,500/- per month. In fact this Court is of the opinion that the income of the deceased has been assessed on the lower side.

Accordingly, no ground for interference in the impugned award is called for.

Dismissed.

(NIRMALJIT KAUR)
JUDGE

6.11.2019
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No