

(126) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-1153-2020 (O&M)
Date of Decision: 05.02.2020

IFFCO TOKIO General Insurance Company Limited Appellant

Versus

Tasleema Bano and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Abhimanyu Batra, Advocate
for the appellant.

...

ANIL KSHETARPAL, J. (ORAL)

Appellant-IFFCO TOKIO General Insurance Company Limited has filed the present appeal against the Award passed by Motor Accident Claims Tribunal, Sonipat, awarding Rs.15,69,000/- as compensation on account of death of Mushtaq Ahmed Ganie.

Learned counsel for the appellant submits that Court erred in assessing the income on the basis of minimum wages payable in the State of Haryana, whereas deceased was employed in a transport company, posted at Jammu & Kashmir.

On a Court question, learned counsel for the appellant admitted that notification of minimum wages as applicable in the State of Jammu & Kashmir has not been produced.

Still further the claimants had filed the petition claiming that the deceased was working as conductor-cum-helper in a transport company, earning Rs.19,500/- P.M. They have examined PW-3 – Bashir Ahmad Lone, who had deposed that deceased was earning Rs.19,500/-, i.e.,

Rs.12,000/- per month as salary and Rs.2500/- per trip.

Keeping in view of the aforesaid facts, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the above said judgment.

(ANIL KSHETARPAL)
Judge

05.02.2020
Pardeep

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No