IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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FAO-489-2022(O&M)
Date of Order: 17.05.2022

UNITED INDIA INSURANCE CO. LTD. **..Appellant**

Versus

SUDESH AND ORS **..Respondents**

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Kundra, Advocate
for the appellant.

ANIL KSHETARPAL, J(Oral)

Assailing the correctness of the award passed by the Motor Accident Claims Tribunal, Panipat, the Insurance Company has filed the present appeal. The learned counsel representing the appellant contends that the Tribunal has erred in assessing the income at the rate of Rs.20,000/- per month. He submits that such income has been assessed on the basis of Income Tax Return for the year 2019-2020, but returns for the previous years were not brought on record.

Late Sh. Mohan Lal aged about 40 years, lost his precious life in an automobile accident on 11.10.2020. The Income Tax Return for the assessment year 2019-2020, was admittedly filed 20 days before the date of accident. It has come in evidence that he was a businessman, who manufactured fiber sheets and trays for the eggs. He has left behind two children, a widow and aged parents. He was resident of Panipat, Haryana. The Court has assessed the income on the basis of the Income Tax Return which was admittedly filed before his death. The income is not shown to be excessive.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

May 17th, 2022 **(ANIL KSHETARPAL)**
Ay **JUDGE**

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