IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

109-3

FAO-1689-2020 (O&M)
Date of decision: 26.04.2022

Reliance General Insurance Company Ltd. .....Appellant

Versus

Bablu and others .....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Subhash Goyal, Advocate for the appellant.

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MANJARI NEHRU KAUL, J. (ORAL)

CM-5146-CII-2020

For the reasons mentioned in the application, the same is allowed and delay of 01 day in filing the present appeal is condoned.

FAO-1689-2020 (O&M)

The appellant-insurance company is impugning the award dated 10.09.2019 passed by learned Motor Accidents Claims Tribunal, Narnaul (for short, 'the Tribunal') vide which an amount of Rs.4,30,000/- was awarded to respondent No.1-claimant as damages caused to his swift car bearing registration No.HR-34H-8265 Model 2015 in a motor vehicular accident with offending vehicle i.e. pick up bearing registration No.HR-66A-2451 which took place on 22.04.2018. The Tribunal awarded the compensation as under:-

Sr. No.	Head	Amount
1.	Total Value of Car	Rs.8,00,000/-
2.	Depreciation (40%)	Rs.3,20,000/-
3.	Total loss of the car after deducting the amount of depreciation	Rs.4,80,000/-
4.	Salvage cost of the car	Rs.50,000/-
5.	Net loss after deducing the salvage cost	Rs.4,30,000/-

Learned counsel for the appellant insurance company submits that while erroneously taking the value of the car in question at Rs.8,00,000/-, the Tribunal calculated the depreciation rate at 40%. It was submitted that the amount awarded in the sum of Rs.4,30,000/- was, thus, on the higher side and required to be scaled down.

I have heard learned counsel for the appellant and perused the relevant material placed on record.

The vehicle in question was manufactured in the year 2015 and the accident took place on 22.04.2018 i.e. within four years of the manufacture of the car. Hence, the Tribunal correctly depreciated the value of the car at 40%. The total value of the car as per respondent No.1-claimant was Rs.8,00,000/- along with accessories as mentioned in the report Ex.PW8/E and hence after 40% depreciation the amount comes to Rs.4,80,000/-. The salvage cost of the vehicle has been assessed by the Tribunal as Rs.50,000/-. This Court, therefore, does not find any cogent reason to interfere with the findings recorded by the Tribunal and the amount assessed after deducting the salvage cost of Rs.50,000/-.

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

26.04.2022 **(MANJARI NEHRU KAUL)**
Vinay **JUDGE**

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