

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

FAO 1703/2022 (O&M)

Date of decision: 20.01.2023

Gita Devi and another

.....Appellants

Vs.

Sanjeev Kumar and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Ram Karan Agnihotri, Advocate for the appellants.

Nidhi Gupta, J.

Present appeal has been filed seeking enhancement of compensation of Rs. 14,01,554/- awarded by the Motor Accident Claims Tribunal, Karnal (hereinafter referred to as 'the Tribunal') in MACT RBT Case No.141/2020 vide Award dated 22.10.2021.

The only ground on which learned counsel for the appellants assails the impugned Award is that income of the deceased Sabnam has been held on the lower side as only Rs.8542/- per month.

It is submitted by the learned counsel for the appellants that the deceased was a labourer, and was also doing household work and earning Rs.15,000/- per month. It is further submitted that the deceased was 16 years at the time of her death and therefore, her income has been taken on lower side.

No other argument has been advanced.

A perusal of the impugned Award shows that it has been recorded therein that no evidence has been placed on record by the claimants/

appellants in support of their claim that the deceased was earning Rs.15,000/- per month from her house hold work and as a labourer. Even now nothing has been placed on record by the learned counsel for the appellants in support of their aforesaid assertion. Accordingly, I find no error in the assessment made by the Tribunal of the income of the deceased as Rs.8542/- per month on the basis of relevant Minimum Wage Notification issued by the State of Haryana applicable to the month of October 2018, the date of accident being 18.10.2018.

Dismissed.

(Nidhi Gupta)
Judge

20.01.2023
Joshi

Whether speaking/reasoned	Yes
Whether reportable	Yes/No