

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

**FAO No. 1295 of 2023 (O&M)
DATE OF DECISION :- May 25, 2023**

IFFCO TOKIO General Insurance Company Ltd. ...Appellant

Versus

Roshni Devi and another ...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Sanjeev Kodan, Advocate for the appellant.

1. Feeling aggrieved by the Award passed by Motor Accident Claims Tribunal, Bhiwani, in a claim petition under Section 163-A of the Motor Vehicles Act, 1988 brought by Roshni Devi, aged about 67 years wife of Sh. Roshan Lal, mother and Roshan Lal son of Sh. Deep Chand, father of deceased Vikash Kumar against IFFCO TOKIO General Insurance Company Limited, Ambala Cantt., Ambala vide which the Tribunal had awarded compensation of Rs.4,06,600/- along with interest at the rate of 7.5% per annum from the date of filing of claim petition till realization be payable to the claimants in equal share by the respondents. The Insurance Company has approached this Court by way of filing an appeal.

2. I have heard learned counsel for the appellant Insurance Company besides going through the record.

3. I find that the impugned Award is quite detailed and well reasoned. All the aspects of the case have been dealt with including the fact that the deceased was holding learner's driving licence only. The Tribunal referring to the various judicial pronouncements has come to the conclusion

that this fact does not absolve the Insurance Company of its liability to pay compensation to the legal representatives of the deceased. Even otherwise, the compensation awarded is as per the schedule under the Act and is certainly excessive or on higher side. No reason is there to interfere with such Award in appeal.

4. Therefore, the appeal stands dismissed.

(H.S. MADAAN)
JUDGE

May 25, 2023
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No