

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

105

FAO-5377-2015 (O&M)

Date of Decision : 20.02.2024

ORIENTAL INSURANCE CO. LTD.

.... Appellant

VERSUS

SUBASH CHANDER & ORS.

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ashwani Talwar, Advocate for the appellant.

Respondents No.1 and 2 proceeded against ex parte
vide order dated 19.11.2015.

Mr. Arun Luthra, Advocate for respondent No.4.

ALKA SARIN, J. (ORAL)

1. This is an appeal preferred by the appellant-Insurance Company challenging the award dated 07.05.2015 passed by the Motor Accident Claims Tribunal, Panchkula.
2. Since the facts, as recorded in the impugned award passed by the Tribunal are not in dispute, the same are not being reproduced herein for the sake of brevity.
3. The only challenge in the present appeal filed by the appellant-Insurance Company is to the quantum of compensation awarded.
4. Heard.
5. In the present case the Tribunal has awarded an amount of Rs.5,00,000/- for the death of the minor child aged 13 years in the motor accident.

6. The Hon'ble Supreme Court in the case of **Kishan Gopal & Anr. Vs. Lala & Ors. [2013 (4) RCR (Civil) 276]**, wherein the deceased was a 10 year old minor child, had granted a compensation to the tune of Rs.5,00,000/-.

7. Learned counsel for the appellant-Insurance Company has not been able to convince this Court that the amount awarded by the Tribunal is excessive in any manner as was granted by the Supreme Court in **Kishan Gopal's** case (supra).

8. In view thereof, I do not find any merit in the present appeal and the same is accordingly dismissed. Pending applications, if any, also stand disposed off.

20.02.2024
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: *Whether speaking/non-speaking: Speaking*
 Whether reportable: Yes/No