



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

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**FAO-1311-2017 (O&M)
Date of Decision : 04.12.2024**

UNITED INDIA INSURANCE COMPANY LTD Appellant

VERSUS

MOHINDER KAUR AND ORS Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Neeraj Khanna, Advocate for the appellant.

None for respondent No.1 despite service.

Mr. Himanshu Setia, Advocate for
Mr. Pravez Chugh, Advocate for respondents No.2 and 3.

ALKA SARIN, J. (ORAL)

1. The present appeal has been preferred by the appellant-Insurance Company challenging the award dated 22.11.2016 passed by the Motor Accident Claims Tribunal, Ferozepur (hereinafter referred to as 'the Tribunal'). The appellant-Insurance Company is aggrieved by the quantum of compensation so awarded by the Tribunal.
2. Learned counsel for the appellant-Insurance company would contend that the income of the deceased has been assessed as ₹8,000 per month which is on the higher side.
3. *Per contra*, learned counsel for respondents No.2 and 3 would contend that copy of the jamabandi (Ex.P-6) was placed on the record showing that the deceased owned land which he was cultivating and was earning from the said land. It is further the contention that though the land

remained with the claimants, however, they would need to employ a manager to look after the said land and the minimum wages at the relevant time was ₹8,524 and hence assessment of the income at ₹8,000 cannot be faulted with.

4. Heard.

5. In the present case the deceased was a 75 years old agriculturist. As per the jamabandi (Ex.P-6), which was placed on the record, the deceased owned certain land which he was cultivating. The income of the deceased has been assessed as per the minimum wages applicable at the relevant time. Even though the land remained with the claimants, however, they would need to employ a manager to look after the said land. Therefore, the income of the deceased, as assessed by the Tribunal, cannot be faulted with.

6. In view of the above, I do not find any merit in the present appeal. The appeal, being devoid of any merit, is accordingly dismissed. Pending applications, if any, also stand disposed off.

04.12.2024

Aman Jain

(ALKA SARIN)

JUDGE

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