



FAO-5794-2017

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

(108)

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Date of decision: - 18.08.2025

Kunti Devi

....Appellant

Versus

Pawan Kumar and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Prashant Chauhan, Advocate,
for the appellant.

VIKAS BAHL, J. (ORAL)**CM-18852-CII-2017**

1. Present application has been filed under Section 5 of the Limitation Act for condonation of delay of 36 days in filing the present appeal.

2. For the reasons stated in the application, which is duly supported by an affidavit, the same is allowed and the delay of 36 days in filing the present appeal is condoned.

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1. Challenge is to the Award dated 02.12.2016 vide which the present appellant, who is the widow of Abhay Singh, had been awarded an amount of Rs.8,22,472/- as compensation along with interest, on account of the death of her husband Abhay Singh in a motor accident



which took place on 17.03.2015, due to rash and negligent driving by respondent No.1.

2. The Motor Accident Claims Tribunal after considering the facts and circumstances of the case and the evidence on record had observed that it was proved beyond doubt that the deceased had died as a result of injuries suffered by him in the accident and that since the driver and owner were not having a valid route permit and fitness certificate to ply the offending truck in the area where the accident had taken place, thus, it was observed that at the first instance, the insurance company would pay the compensation amount to the present appellant and the said insurance company would have a right to recover the same from respondent No.2 i.e. owner of the vehicle. On the aspect of compensation, the income of the deceased was taken to be Rs.8,000/- and a total compensation of Rs.8,22,472/- was granted to the present appellant along with interest as stated herein-above.

3. The appeal has been filed for enhancement of compensation awarded. Learned counsel for the appellant has not been able to show as to how the said compensation is inadequate or any ground on which the said compensation deserves to be enhanced. Even this Court is of the opinion that adequate compensation has been awarded to the present appellant on account of death of the deceased Abhay Singh.

4. Keeping in view the above-said facts and circumstances, there is no scope of further enhancement and thus, the award passed by the Tribunal is in accordance with law and deserves to be upheld and is

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accordingly upheld and the present appeal being meritless deserves to be dismissed and is accordingly dismissed.

August 18, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No