

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-2452-2002
Date of decision: 21.04.2026

Smt. Savitri Devi and others ...Appellants

Versus

Smt. Sudesh Rani and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Sagar Aggarwal, Advocate for
Mr. Ashit Malik, Advocate for the appellants.

Mr. Rajneesh Malhotra, Advocate (Through VC)
for respondent No.3-Insurance Company.

DEEPAK GUPTA, J. (ORAL)

Claim petition was filed under Section 166 as well as 163A of the Motor Vehicles Act seeking compensation on account of death of Vedpal Singh, who was a government employee earning approximately Rs.7,000/- per month. During arguments before the Tribunal, the claim was restricted to be considered under Section 163A of the Motor Vehicles Act. Learned Tribunal vide award dated 16.01.2002 has dismissed the petition, against which the present appeal has been filed.

2. On specific query put by this Court, learned counsel for the appellants concedes that once the claim was restricted under Section 163A of the Motor Vehicles Act, the same was not maintainable in case the income of the deceased was more than Rs.40,000/- per annum. Since in the present case, the income of the deceased was claimed to be Rs.7,000/- per month i.e. more than Rs.80,000/- per annum, obviously, the claim petition under Section 163A of the Motor Vehicles Act was not maintainable.

3. No merits. Dismissed.

21.04.2026
Yogesh

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No