

FAO-3576-2004

[1]

2026.PHHC.028656



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-3576-2004

Date of decision: 19.02.2026

Smt. Sukhvinder Kaur and others

...Appellants

Versus

Sanjay Kumar Sharma and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Mukesh Kumar Bhatnagar, Advocate
for the appellants.

Mr. Ishan Cooner, Advocate for
Mr. J.S. Cooner, Advocate for respondent Nos.1 and 2.

Mr. Rahul Bansal, Advocate for
Mr. D.R. Bansal, Advocate for respondent No.3.

DEEPAK GUPTA, J. (ORAL)

The income of the deceased was claimed to be Rs.50,000/- per month, whereas the claim petition was considered under Section 163A of the Motor Vehicles Act. Though the claim petition has been dismissed by the Tribunal by disbelieving the accident, but even if the accident is believed to have taken place in the manner as pleaded in the petition, still the claim petition under Section 163A was not maintainable as the income of the deceased was pleaded to be more than Rs.40,000/- per annum. As such, the present appeal is hereby dismissed by maintaining the award of dismissal of the claim petition.

19.02.2026

Yogesh

**(DEEPAK GUPTA)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**