

FAO-3186-2017 (O&M)

-1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

FAO-3186-2017 (O&M)

BAJAJ ALLIANZE GENERAL INSURANCE CO. LTD.

.....Appellant

vs.

SHILPA (DECEASED) THROUGH LRS. & ORS.

.....Respondents

Reserved on:- 19.12.2025

Pronounced on:- 15.01.2025

Uploaded on: 16.01.2026

Whether only the operative part of the judgment is pronounced?

NO

Whether full judgment is pronounced?

YES

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

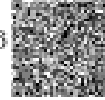
Present: Mr. Punit Jain, Advocate
for the appellant.

Mr. M.K. Mittal, Advocate
for respondent No.1.

Ms. Farheen Bajwa, Advocate
for Mr. Harsh Aggarwal, Advocate
for respondent No.8.

SUDEEPTI SHARMA J.

1. The present appeal has been preferred against the award dated 22.12.2016 passed by the learned Motor Accident Claims Tribunal, Sirsa (for short, 'the Tribunal') in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988, wherein, the appellant-insurance company was held liable to pay the compensation to the claimants/respondents to the tune of Rs.58,22,000/- along with interest @ 9% per annum, on the ground of quantum of compensation to be on higher side.



2. As sole issue for determination in the present appeal is confined to quantum of compensation awarded by the learned Tribunal, a detailed narration of the facts of the case is not required to be reproduced here for the sake of brevity.

SUBMISSIONS OF LEARNED COUNSEL FOR THE PARTIES

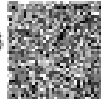
3. Learned counsel for the appellant-Insurance Company contends that learned Tribunal has assessed the compensation on the higher side and deserves to be reduced.

4. He further contends that the learned tribunal has awarded arbitrary and exorbitant amount of compensation under the head of future medical expenses. Therefore, he prays that the present appeal be allowed.

5. Per contra, learned counsel for respondents-claimants contends that the compensation granted to the claimant (since deceased) is on the lower side and deserves to be enhanced. He further points out that the respondents-claimants has already filed a separate appeal, being FAO-4806-2017, titled as “Shilpa Jain (Deceased) through Lrs. & others. Vs. Inderjeet Jain and others”, challenging the quantum of compensation awarded by learned Tribunal and seeks its enhancement, therefore, he prays that present appeal be dismissed and amount of compensation be enhanced as per latest law.

6. I have heard learned counsel for the parties and perused the whole record of this case with their able assistance.

7. At the very outset, it is pertinent to note that ***FAO-4806-2017, titled as “Shilpa Jain (since Deceased) through her Lrs. & others. Vs. Inderjeet Jain and others”*** filed by the claimants has already been allowed by this Court vide order of even date detailing therein regarding every aspect of the arguments raised in the present appeal.

**FAO-3186-2017 (O&M)****-3-**

8. In view thereof, the adjudication of the present appeal no longer survives.
9. In view of the above, the present appeal is dismissed.
10. The statutory amount of Rs.25,000/- deposited by the appellant at the time of admission of the appeal, is ordered to be refunded to them.
11. Pending application (s), if any, also stand disposed of.

15.01.2026*Ayub***(SUDEEPTI SHARMA)
JUDGE**

Whether speaking/non-speaking : Yes/No
Whether reportable : Yes