



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

FAO-5536-2017 (O&M)

NEW INDIA ASSURANCE COMPANY LIMITEDAppellant

vs.

SUNITA DEVI AND OTHERSRespondents

Reserved on:- 20.03.2026

Pronounced on:- 23.03.2026

Uploaded On:- .03.2026

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. R.C.Kapoor, Advocate
for the appellant – Insurance Company.

Mr. Nitin Meel, Advocate
for respondent Nos.1 to 4.

Mr. Rohit Bhardwaj, Advocate for
Mr. R.K.Rathore, Advocate
for respondent No.5.

SUDEEPTI SHARMA J.

1. The present appeal has been preferred against the award dated 10.05.2017 passed by the learned Motor Accident Claims Tribunal, Shaheed Bhagat Singh Nagar in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988 (for short, 'the Tribunal') wherein, the appellant-insurance company was held liable to pay the compensation to the claimants/respondents to the tune of Rs.10,55,027/- along with interest @ 7.5% 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. The learned counsel for the appellant - Insurance Company contends that the amount assessed by the learned Tribunal is on the higher side and deserves to be reduced. He further contends that the learned Tribunal has wrongly added 30% as future prospects to the income of the deceased. Only 25% is to be added as future prospects as per settled law on compensation. Therefore, he prays that the present appeal be allowed and amount of compensation be reduced as per latest law.

4. *Per contra*, learned counsel for claimants-appellants, however, vehemently argues that the compensation awarded by the learned Tribunal is on the lower side and deserves to be enhanced. He further points out that claimants-appellants have filed a separate appeal ie. FAO No.5605 of 2018 titled as “Sunita Devi and others Vs. Pawan Kumar Dhir and another”, challenging the quantum of compensation. Therefore, he prays for dismissal of the present appeal and compensation be enhanced as per latest law.

5. Learned counsel for respondent No.5 argues on the lines of the award and prays for dismissal of the present appeal.

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 No.5605 of 2018 titled as “Sunita Devi and others Vs. Pawan Kumar Dhir and another”*** 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.

- 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. Pending application (s), if any, also stand disposed of.

23.03.2026

Lalita-II

(SUDEEPTI SHARMA)
JUDGE

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