
(2007) 01 P&H CK 0027
In the Punjab And Haryana At Chandigarh

Oriental Insurance Co. Ltd.

APPELLANT

Vs

Smt. Rukmani

RESPONDENT

Date of Decision : 12-01-2007

Acts Referred:

Motor Vehicles Act, 1988 — Section 170

Citation : (2007) 4 PLR 620(1) : (2007) 4 RCR(Civil) 66

Hon'ble Judges : Jasbir Singh, J; Baldev Singh, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Jasbir Singh, J.—Appellant is the Insurance Company. This appeal has been filed against the award, passed by the Motor Accidents Claims Tribunal, Faridabad, on November 29, 200. Admittedly, the Insurance Co. has not filed any application u/s 170 of the Motor Vehicles Act, 1988 (for short the Act). During arguments, an attempt has been made to lay challenge to the award by stating that the quantum of compensation awarded is on the higher side. As the Insurance Co. has not filed any application u/s 170 of the Act, the Company cannot lay challenge to the award regarding quantum of compensation. Deceased was a young boy of 20 years of age, studying in B.A. Part II. By taking his notional income at the rate of Rs. 15,000/- per annum, the Tribunal, after deducting 1/3rd amount towards personal spending of the deceased, has granted an amount of Rs. 1,54,500/- towards compensation by applying multiplier of 15 only. We feel that the amount granted is rather on the lower side. No case is made out for interference. Dismissed.