



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

FAO-4807-2018 (O&M)

SMT. BALA AND ORS.

.....Appellants

vs.

SAJJAD AHMAD GANAI AND ORS.

.....Respondents

Reserved on:- 10.04.2026

Pronounced on:- 12.05.2026

Uploaded on: 15.05.2026

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. Manish Boora, Advocate
for Mr. Suresh Kumar Kaushik, Advocate
for the appellant.

Mr. Diwan S. Adlakha, Advocate
for respondent No.3-Insurance Company.

SUDEEPTI SHARMA J.

1. The present appeal has been preferred against the award dated 02.11.2017 passed by the learned Motor Accident Claims Tribunal, Karnal (for short, 'the Tribunal') in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988, for enhancement of compensation granted to the claimants on account of death of Rajender Sharma in a Motor Vehicular Accident, occurred on 03.09.2015.

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 appellants-claimants contends that learned Tribunal has assessed the compensation on the lower side and deserves to be enhanced.

4. Per contra, learned counsel for the respondent No.3-Insurance Company contends that the learned Tribunal has erred in law by failing to deduct the amount received by the dependants of the deceased under the *Haryana Compassionate Assistance to the Dependants of Deceased Government Employees Rules, 2006*. He further contends that in view of the settled legal position, the said amount is liable to be deducted while computing compensation under the Motor Vehicles Act, 1988, and consequently, the awarded compensation deserves to be reduced. He furthermore contends that major son and daughter were wrongly considered as dependant on the income of the deceased. He furthermore contends that the respondent No.3-Insurance Company has already filed a separate appeal, being *FAO-1325-2018, titled as "United India Insurance Company Ltd. Vs. Bimla Sharma and others"* challenging the quantum of compensation awarded by learned Tribunal being on higher side, therefore, he prays that present appeal be dismissed and amount of compensation be reduced as per latest law.

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

6. At the very outset, it is pertinent to note that *FAO-1325-2018-, titled as "United India Insurance Company Ltd. Vs. Bimla Sharma and others"* filed by the respondent No.3-Insurance company has already been partly allowed by this Court, detailing therein regarding every aspect of the arguments raised in the present appeal.



7. In view thereof, the adjudication of the present appeal no longer survives.
8. In view of the above, the present appeal is hereby **allowed**.
9. Pending application (s), if any, also stand disposed of.

12.05.2026

Ayub/Sahil

(SUDEEPTI SHARMA)

JUDGE

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