

Motor Vehicle Act, 1988 (59 of 1988) Section 166 – Deceased aged 58 years – Was left with one year service – Pension and other retiral benefits are earned by an employee during and for the period of his actual service rendered on pensionable post – They are earned during the period of actual service – Only their payment is deferred till retirement – There seems no justification or reason to take into account such deferred payments of retiral of deceased while assessing his earnings from private work post retirement and for computing the claimants’ entitlement to compensation for his death in vehicular accident – He would have the capacity, ability and potential to take up some other gainful private work from which he could earn about equal to his last drawn net carry home salary.

**[2022 PLRonline 9653 \(P&H\)](#)**

**[HARBANS KAUR v. HARDEEP SINGH, \(2022-1\)205 PLR 385 , 2022 PLRonline 9653 \(P&H\)](#)**