

**471 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

FAO No.43 of 2003 (O&M)

Decided on: 12.5.2015.

Smt. Kanta and another

... Appellants

Versus

Mahinder Singh and another

... Respondents

CORAM : HON'BLE MR. JUSTICE K. C. PURI

Present : Mr. Shamsheer Singh , Advocate for
Mr. Harkesh Manuja, Advocate,
for the appellants.

None for the respondents.

K.C.PURI.J.(ORAL)

This is an appeal directed by the parents of Arun (deceased) against the Award dated 19.10.2002 passed by Sh. Surinder Kumar, Presiding Officer, Motor Accident Claims Tribunal, Sonapat (for short “the Tribunal”) for enhancement of compensation in respect of death of Arun in a motor vehicular accident.

The Tribunal after adjudication accepted the claim petition and allowed a sum of Rs.65,000/- as compensation along with interest @ 9% per annum.

Learned counsel for the appellants has relied upon the decision of this Court in **Rajesh Kumar and another vs. Rinku Kumar and others FAO No.44 of 2009 decided on 14.1.2010** and on the strength of the same, it is argued that a sum of Rs.2 lacs was granted

in respect of death of a child of 8 years. So, prayer has been made for enhancement of compensation.

From the perusal of decision **Rajesh Kumar's case** **(supra)**, it is revealed that the accident in that case has taken place on 19.10.2007 whereas the accident in the present case has taken place on 23.5.2001. So, the price index of that year has to be taken into account while granting compensation. However, sum of Rs.65,000/- is on lower side in respect of death of a son of 8 years. So, the claimants are held entitled to claim Rs.1,50,000/- in respect of death of their son Arun in motor vehicular accident. The liability to pay the amount shall be the same as ordered by the Tribunal. The enhanced amount shall carry interest @ 7.5% per annum from the date of petition till payment.

12.5.2015.
SN

(K.C.PURI)
JUDGE