

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

**FAO No.2572 of 1999 (O&M)
Date of Decision: April 21, 2015**

Sher Singh and another Appellants

vs.

Diwan Singh and another Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Mani Ram Verma, Advocate for the appellant.

Mr. R.A. Sheoran, Advocate for respondent Nos.1 and 2.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

This is claimants' appeal against the Award dated 17.05.1999 passed by the Motor Accident Claims Tribunal, Bhiwani (in short 'the Tribunal').

Brief facts of the case are that Sandeep, who was playing near his house was run over by the offending four wheeler vehicle bearing registration No.HR-46-8837, being driven by Diwan Singh-respondent on 27.02.1998. The Tribunal awarded a sum of ₹70,000/- as compensation with interest @ 12% per annum from the date of filing of the claim petition till realization.

The claimants are not satisfied with the compensation awarded by the Tribunal and has come up in the present appeal.

Admittedly, in this case, child was about five years old. In case of ***“Krishan Gopal and another vs Lala and others”***, 2013 **ACJ 2594**, the Hon'ble Apex Court in case of death of 10 years old boy granted a compensation of ₹5,00,000/- including the conventional heads.

Keeping in view the facts and circumstances of the present case, I am of the view that compensation of ₹70,000/- is grossly inadequate. Therefore, the same is enhanced to ₹2,50,000/- along with interest @ 7.5% per annum on the enhanced amount from the date of filing of the claim petition till realization.

The present appeal is allowed to the aforesaid extent.

April 21, 2015
sarita

(KULDIP SINGH)
JUDGE