

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.1148 of 2006 (O&M)
Date of Decision:05.11.2015

Mithu Singh and another

....Appellants

Versus

Iqbal Singh and others

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Sameer Sachdeva, Advocate for the appellants.

Mr. Surinder Garg, Advocate for respondents No.1 & 2.

Mr. Paul S. Saini, Advocate for respondent No.3-
National Insurance Company Ltd.

NAVITA SINGH, J.

1. The Motor Accidents Claims Tribunal, Muktsar (Tribunal for short) granted an amount of Rs.1,12,000/- as compensation to the appellants, vide award dated 22.12.2005 for the death of the son of the appellants in a motor vehicle accident which took place on 22.11.2004. Finding the compensation inadequate, the present appeal was filed by them.

2. Counsel for the appellants argued that income taken was low and nothing was awarded under the conventional heads. Only the income of the deceased was assessed and applying multiplier, compensation was calculated. Counsel for the Insurance Company gracefully admitted that the award being silent regarding compensation under the conventional heads, the court may allow the request of the appellants to that extent. The accident had taken place in 2004 and the income of the deceased was, therefore, rightly assessed. Compensation granted on account of loss of dependency, calculated at Rs.1,12,000/- was, therefore, right and does not call for any change. So far as the conventional heads are concerned, it is ordered that the appellants, being parents of deceased Jassa Singh, shall get an amount of Rs.1,50,000/- as compensation for loss of

love and affection and Rs.25,000/- as funeral expenses. The compensation is, therefore, enhanced by Rs.1,75,000/-. Enhanced amount shall fetch interest @ 6% per annum.

3. The appeal is disposed of accordingly.

**(NAVITA SINGH)
JUDGE**

05.11.2015
Ishwar

Whether to be referred to reporter: Yes