

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.768 of 2005 (O&M)

Date of Decision:20.01.2015

Seema Rani and others

....Appellants

Versus

Sukhbir Singh and others

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGHPresent: Mr. Reshab Gupta, Advocate for
Mr. J.K. Goel, Advocate for the appellants.Mr. R.N. Singal, Advocate for respondent No.4-
National Insurance Company Ltd.**NAVITA SINGH, J.**

1. The appellants filed the present appeal for enhancement of the compensation granted by Motor Accident Claims Tribunal, Karnal (Tribunal for short) for the death of Isam Singh in a motor vehicle accident, which took place on 15.6.2002.

2. Counsel for the appellants argued that the salary of the deceased was not rightly assessed by the Tribunal at Rs.2100/- per month because it had come in evidence that he was employed as a Sweeper in the Police Complex at Madhuban and his income from that job and as a private Sweeper was Rs.5000/- per month in all. This argument, however, is not acceptable because no record from the police department was produced to show that the deceased was employed at Madhuban and also what was the salary being paid to him. Even the claimants did not mention his salary from his work as Sweeper at Madhuban. The income was, therefore, rightly assessed and this part of the award calls for no change.

3. Counsel for the appellants then went on to argue that nothing was awarded towards loss of consortium to the widow, loss of estate and for loss of love and affection to the minor children.

4. Counsel for the Insurance Company gracefully submitted that since nothing was granted under the conventional heads except funeral expenses, the court may pass any order deemed fit.

5. It is held that the appellants are entitled to get compensation under the other conventional heads as well. It is, therefore, ordered that widow shall be paid an amount of Rs.1,00,000/- towards loss of consortium and minor children shall get Rs.50,000/- for loss of love and affection. The amount already awarded shall stand enhanced by Rs.1,50,000/-. Enhanced amount shall fetch the interest at the rate of 6% per annum. No other point is urged.

6. The appeal is disposed of in the above said terms.

(NAVITA SINGH)
JUDGE

20.01.2015
Ishwar

Whether to be referred to reporter: Yes