

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

FAO No.6519 of 2012 (O&M)

Date of decision: 08.09.2015

HDFC Ergo General Insurance Company Limited ... Appellant

versus

Mool Chand and others Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Ms. Vandana Malhotra, Advocate,
 for the appellant.

Mr. Ramender Chohan, Advocate,
for Mr. J.S. Hooda, Advocate,
for respondents 1 to 3.

K.Kannan, J. (Oral)

CM No.31605-CII of 2012

For the reasons stated in the application, delay of 12
days in filing the appeal is condoned.

Application stands disposed of.

FAO No.6519 of 2012

The appeal is by the Insurance Company complaining of
the quantum as excessive. The deceased was 21 years of age and the
claimants were parents and the minor sister. The Tribunal took the
income as ₹ 4,382/- being the minimum wage as notified by the
State at the relevant time, applied for a 1/3rd deduction and used a

multiplier of 18 to assess a compensation of ₹6,45,968/- that included ₹20,000/- as funeral expenses. If the award were to be reworked by applying a 50% deduction, it would still make up for the amount if a provision is made for loss of love and affection for each of the parents at ₹1 lakh. The amount will be even more than to what was already assessed and I do not think there is a scope for intervention. The award already passed is maintained and the appeal is dismissed.

(K.KANNAN)
JUDGE

08.09.2015
sanjeev