

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

FAO-1034-2014 (O&M)

Date of Decision: 03.08.2015

National Insurance Co. Ltd.

.....Appellant

Versus

Swaran Kaur & Ors.

.....Respondents

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

- 1. Whether Reporters of local papers 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?**

Present:- Mr. Paul S. Saini, Advocate
for the appellant.

Mr. Vansh Malhotra, Advocate for
Mr. Bhanu Partap Singh, Advocate
for respondents No. 1 to 4.

K.C. PURI, J (Oral)

This appeal has been directed by the Insurance Company regarding the quantum only against the award dated 28.10.2013 passed by the Motor Accident Claims Tribunal, Hoshiarpur (for short 'the Tribunal') vide which the claim petition was partly accepted and a sum of ₹ 6,99,250/- was allowed to the claimants.

The deceased was 52 years of age. The Tribunal has taken the income of the deceased as ₹ 5,000/- per month. 15% has been added towards future prospects keeping in view the authority of Hon'ble Supreme Court in case titled ***Rajesh and***

others vs. Rajbir Singh and others, 2013(3) SCC 54. The annual dependency was taken as ₹ 51,750/-. Multiplier of 11 was applied. Total loss was calculated as ₹ 5,69,250/-. ₹ 25000/- was allowed in respect of funeral expenses. ₹1,00,000/- was allowed in respect of consortium and ₹5,000/- was allowed towards transportation charges. In this manner, a sum of ₹ 6,99,250/- was allowed as compensation. The amount of compensation under various heads has been calculated strictly in accordance with the law laid down by Hon'ble Supreme Court in *Rajesh and other's* case (supra) and *Sarla Verma and other vs. Delhi Transport Corporation and another, 2009(3) RCR (Civil) 77.*

So, no ground for interference is made out in this appeal and the same stands dismissed with costs. The cost is assessed at ₹ 10,000/-.

03.08.2015
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(K.C. PURI)
JUDGE