

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

FAO No. 1849 of 2014 (O&M).

Decided on: 17.8.2015.

Harmesh Kaur and another

... Appellants

Versus

Satpal Singh and others

... Respondents

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

Present : Ms. Jasleen Kaur, Advocate,
for the appellants.

Mr. M.B. Jain, Advocate,
for respondent No.3.

K.C.PURI.J.(ORAL)

This is an appeal directed by the parents of deceased Pardeep Kumar, against the Award dated 23.10.2013 passed by Sh. G.K. Dhir, Motor Accident Claims Tribunal, Hoshiarpur (for short 'the Tribunal') vide which the claim petition was partly accepted and a sum of Rs.3,66,000/- was allowed as compensation.

The deceased was 17 years old. His income has been assessed as Rs.4000/- per month including future prospects. The dependency has been taken as Rs.2000/- per month. The yearly dependency has been taken as Rs.24,000/-. Multiplier of 13 has been applied and the loss of dependency was calculated as Rs.3,12,000/-.

I have heard both the sides and have gone through the file.

After hearing learned counsel for the parties, this Court is of the opinion that the amount of compensation is required to be recalculated. The income of the deceased has been rightly taken as Rs.4000/- per month. However, keeping in view authority **Rajesh and others vs. Rajbir Singh and others 2013 ACJ 1403** 50% amount has to be added in respect of future prospects. By adding 50% amount, the income of the deceased is taken as Rs.6000/- per month. The deceased was bachelor and as such one half amount has to be deducted in respect of personal expenses. The dependency comes to Rs.3000/- per month. The yearly dependency is taken as Rs.36,000/-. The multiplier applicable in this case according to authority **Smt. Sarla Verma and others vs. Delhi Transport Corporation and another 2009(6) SCC 121** is 18 so, by applying that multiplier, the amount of compensation comes to Rs.6,48,000/-. A sum of Rs.25,000/- stands allowed in respect of expenses on last rites. Another sum of Rs.1 lac stands allowed in respect of loss of love and affection. In this manner, the claimants are held entitled to claim Rs.7,73,000/-. The liability to pay the amount shall be same as ordered by the Tribunal.

Learned counsel for the appellants has relied upon authority **Asha Verma vs. Maharaj Singh 2015(2) RAJ 445** to fortify their claim for grant of interest @ 9% per annum. However, this

authority is rendered by 2-judge Bench whereas the authority **Rajesh's**
case (supra) is rendered by 3-judge Bench which has been relied upon
by the learned counsel for the appellants herself. Therefore, the
claimants are held entitled to claim interest @ 7.5% per annum from the
date of application till realization.

17.8.2015.
SN

(K.C.PURI)
JUDGE