

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.2081 of 2014 (O&M)
Date of Decision:03.11.2015

Meenu alias Meenakshi and others

....Appellants

Versus

Tarsem Lal and others

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Sandeep Kotla, Advocate for the appellants.

Mr. Sandeep Suri, Advocate for respondent No.3-
National Insurance Company Ltd.

NAVITA SINGH, J.

1. Presence of respondents No.1 and 2 are not required as liability was fastened on the Insurance Company.
2. The appellants have claimed enhancement in the amount of compensation already granted by Motor Accidents Claims Tribunal, Panipat (Tribunal for short) vide award dated 7.9.2013.
3. Counsel for the appellants argued that the short point involved is that the appellants were not properly compensated under the conventional heads. Nothing was granted to the widow of Arun Kumar on account of loss of consortium and the minor children were also not compensated for loss of love and affection to the extent they should have been. Only an amount of Rs.20,000/- was given for loss of love and affection.
4. Counsel for the Insurance Company argued that the compensation for loss of love and affection already stands granted by the Tribunal. However, regarding loss of consortium, it was admitted that the widow should have been awarded some amount.
5. The amount awarded for loss of love and affection to the minor sons of the deceased was highly inadequate as an amount of Rs.20,000/- for both the

children was rather a mockery. It is, therefore, ordered that the widow shall get an amount of Rs.1,00,000/- for loss of consortium and minor children shall also get Rs.1,00,000/- each for loss of love and affection. The amount of compensation would, therefore, be enhanced by Rs.2,80,000/-. Enhanced amount shall fetch interest @ 6% per annum.

6. The appeal is allowed in the above terms.

**(NAVITA SINGH)
JUDGE**

03.11.2015
Ishwar

Whether to be referred to reporter: Yes