

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

FAO No.4408 of 2013 (O&M)

Date of decision: 10.03.2015

Chand Kaur

..... Appellant

versus

Jonny & others

..... Respondents

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Sanjay Jain, Advocate for the appellant
Respondent Nos. 1 and 2 proceeded ex parte
Mr. Radhey Shyam Sharma, Advocate
for respondent No. 3

1. *Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

Sant Singh son of Waryam Singh, aged about 70 years, died in motor vehicular accident on 21.3.2011. Motor Accident Claims Tribunal, Ambala awarded a sum of Rs. 1,50,000/- in total.

Not satisfied with the award, the claimant – widow has preferred the present appeal.

I have heard learned counsel for the parties and have carefully gone through the file.

Learned counsel for the appellant has pressed that he challenges the award only on account of inadequate compensation on two heads i.e. loss of consortium and funeral expenses. It is stated that the Tribunal has awarded a consolidated sum of

Rs.9500/- on account of loss of estate, loss of consortium and funeral expenses.

In view of authority Rajesh and others v. Rajbir Singh and others, 2013(3) Civil Court Cases 015 (S.C.), Rs.one lac on account of loss of consortium, Rs.25,000/- on account of funeral expenses are to be allowed.

In view of the matter, the appeal is allowed and the compensation is enhanced for funeral expenses to the tune of Rs.25,000/- and for loss of consortium Rs.one lac is awarded.

The enhanced amount, along with interest as awarded by the learned Tribunal, shall be paid by respondent Nos.1 and 2.

Appeal is allowed.

10.03.2015
gk

(Kuldip Singh)
Judge