

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

FAO No. 4726 of 2013

Date of Decision:-30.7.2015

Amar Singh and others

.....Appellants

Versus

Surinderpal Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

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| 1. Whether Reporters of local papers may be allowed to see the judgment? | Yes |
| 2. To be referred to the Reporters or not? | |
| 3. Whether the judgment should be reported in the Digest? | Yes |

Present: Mr.Paramdeep Singh, Advocate for the appellants.

Mr.Ravinder Arora, Advocate for respondent No.3.

None for respondent Nos.4 to 6.

SHEKHER DHAWAN, J (Oral).

Prayer has been made in appeal for enhancement of compensation mainly on the ground that the Motor Accident Claims Tribunal, Fatehgarh Sahib, (hereinafter to be referred as "The Tribunal"), awarded compensation of ₹ 1,22,000/- on account of death of Sadhu Singh, who died at the age of 50.

2. Learned counsel for appellants prays that 'The Tribunal' erroneously applied the multiplier of '5', whereas it should be '13' at the age of 50 years. So, compensation be enhanced suitably.

3. Accordingly, learned counsel for respondent No.3 took the plea that compensation has already been awarded keeping in view the age and

earnings of the deceased. So, appeal be dismissed.

4. Having considered the rival submissions made by learned counsel for both the parties and there being no dispute of other facts, except applying the multiplier while calculating the amount of compensation. As per law laid down by Hon'ble Supreme Court in case Sarla Verma and others Vs. Delhi Transport Corporation and another, 2009(3) RCR (Civil) 77, multiplier was to be applied as '13' at the age of 50 years and accordingly, multiplier of '13' in this case is being applied and amount of compensation is re-assessed as under:-

Monthly income	₹ 2000	
Annual income	₹ 2000 x 12	₹ 24000/-
1/3 rd self dependency	₹ 24000 - 8000	₹ 16000/-
After applying multiplier of 13	₹ 16000 x 13	₹ 2,08,000/-
Loss on account of funeral expenses	₹ 25,000	₹ 2,33,000/-
Total compensation amount	₹ 2,33,000	
Already awarded amount by the Tribunal	₹ 1,22,000	
Enhanced amount	₹ 2,33,000 - ₹ 1,22,000	₹ 1,11,000/-

5. The enhanced amount of compensation of ₹ 1,11,000/- shall be payable from the date of claim petition along with interest at the rate of 7.5% per annum.

6. Accordingly, the appeal is partly accepted.

30.7.2015
AS

(SHEKHER DHAWAN)
JUDGE