

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 5259 of 2013 (O&M)
Date of decision 06.04. 2015.

Shri Ram General Insurance Company Limited

..... Appellant.

versus

Smt. Shakuntla and others

..... Respondents.

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

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?

Present : Shri T.K.Joshi, Advocate for the appellant.
Shri S.P.Chahar, Advocate.
Shri Chander Shekher Advocate.

K.C.PURI, J.

CM No. 22354 CII of 2013

For the reasons mentioned in the application the delay of 148 days in filing the appeal stands condoned.

MAIN APPEAL FAO No. 5259 of 2013

2. This is an appeal directed by Shri Ram General Insurance Company Limited against the award dated 21.2.2013 vide which the claim petition preferred by the claimants has been partly accepted a sum of Rs.10,00,000/- along with interest @ 8% per annum has been granted.
3. Shri Ram General Insurance Company Limited has challenged the Award on the ground of quantum only, therefore other facts need not to

be narrated.

4. Vide order dated 18.03.2014 while issuing notice of motion, this Court observed as under :-

“Present: Mr. T.K.Joshi, Advocate for the appellant.

This appeal has been filed by the insurance company against the award dated 21.02.2013, passed by Motor Accident Claims Tribunal, Jhajjar. Learned counsel for the appellant states that the Tribunal has wrongly fixed the multiplier of 16 but it should be 15 as per the age of the deceased and after totaling the compensation amount of Rs.9,34,000/- comes out but the Court has awarded Rs.10,00,000/-. I, however, find that the nothing has been awarded on account of future prospects and compensation on account of loss of consortium and loss of love and affection is also highly inadequate.

Notice of motion for 14.10.2014.”

5. The only point urged during the course of argument is that multiplier of 16 has been wrongly ordered instead multiplier of 15 and the total amount comes to Rs.9,34,000/- whereas the Tribunal has awarded Rs.10,00,000/-. However, this Court in order dated March 18, 2014 has observed that nothing has been awarded on account of future prospects and compensation on account of loss of consortium and loss of love and affection.

6. So, in view of the above said observations, the awarding of amount of Rs.10,00,000/- by the Tribunal cannot be said to be on higher

side.

7. Consequently, the appeal preferred by the Insurance Company is without any merit and the same stands dismissed.

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8. Since the present appeal has been decided, so, the present application has been rendered infructuous and the same also stands dismissed.

9. A copy of this judgment be sent to the trial Court for strict compliance.

**(K.C.PURI)
JUDGE**

**April 06 , 2015
sv**