

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.5834 of 2013 (O&M)
Date of Decision:05.10.2015

Labh Singh and another

....Appellants

Versus

Ramesh Kumar and others

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Ishan Cooner, Advocate for
Mr. J.S. Cooner, Advocate for the appellants.

Mr. Eklavya Darshi, Advocate for respondent No.3-
New India Assurance Company Ltd.

NAVITA SINGH, J.

1. The Motor Accidents Claims Tribunal, Ambala (Tribunal for short) passed an award on 1.6.2013 granting compensation to the appellants for the death of Jarnail Kaur, wife of appellant No.1 and mother of appellant No.2. Finding the amount of Rs.6,27,200/- insufficient, the present appeal was preferred.
2. Counsel for the appellants contended that nothing was awarded on account of loss of future prospects though notional income of the deceased was assessed at Rs.4600/- per month for service to the family. The amount regarding funeral expenses and loss of consortium was stated to be inadequate and also nothing was awarded to the daughter for loss of love and affection.
3. So far as the income is concerned, nothing is to be awarded towards future prospects as the deceased was not employed. Counsel for the appellant relied on Rajesh Vs. Rajbir Singh 2013 (3) RCR (Civil) 170 but the said matter already stands referred to larger bench of the Supreme Court. Also deceased was a housewife.

4. Regarding funeral expenses and last rites, additional amount of Rs.5000/- is given and an amount of Rs.1,00,000/- is given to appellant No.1 for loss of consortium and equal amount to appellant No.2 for loss of love and affection. The total amount of compensation is, therefore, enhanced by Rs.2,05,000/-. Enhanced amount shall fetch interest @ 6% per annum.
5. The appeal is partly allowed in the above terms.

(NAVITA SINGH)
JUDGE

05.10.2015
Ishwar

Whether to be referred to reporter: No