

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

**FAO No.4915 of 2015 (O&M)
Date of Decision: July 30, 2015**

P.R.T.C. and another

.... Appellants

vs.

Pritam Chand and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Anupam Singla, Advocate for the appellants.

- 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)

CM-15069-CII-2015

There is a delay of 141 days in filing the present appeal.

For the reasons mentioned in the application supported by an affidavit, delay of 141 days in filing the present appeal is condoned subject to all just exception.

Application stands disposed of.

FAO-4915-2015

P.R.T.C. has filed this appeal against the Award dated 08.12.2014 passed by the Motor Accident Claims Tribunal, Chandigarh (in short 'the Tribunal').

In this case, on 30.06.2012, Smt. Sampurna Kumari (deceased), aged about 29 years, who was a teacher, was going from Chandigarh to Patiala while travelling in a bus bearing

registration No.PB-11P-7406 belonging to the present appellants. It was being driven by its driver Jagir Singh in a rash and negligent manner. At about 3.00 p.m., when the bus reached near village Kauli on Rajpura-Patiala road, it turned turtle, causing injuries to its several occupants. Smt. Sampurna Kumari was seriously injured and was removed to Rajendra Hospital, Patiala, from where she was referred to PGI, Chandigarh. She ultimately succumbed to injuries on 03.07.2012 in PGI, Chandigarh.

The Tribunal after considering the date of birth of the deceased, came to the conclusion that the deceased was 29 years of age. She was working as a teacher in Akal Academy, Cheema Sahib, District Sangrur. Her salary certificate (Ex.P-60) was produced showing that she was drawing ₹7,416/- per month. The Tribunal added 50% of the income as future prospects. 1/3rd was deducted as personal expenses. The multiplier of 16 was applied. ₹1,00,000/- were awarded for loss of consortium. ₹50,000/- for loss of love and affection to the minor children and ₹25,000/- for the funeral expenses were also awarded. The total compensation of ₹15,98,872/- was awarded by the Tribunal. However, nothing was awarded on account of medical expenses and transportation charges.

To controvert the evidence of the claimants, the present appellant had not led any evidence before the Tribunal.

After going through the Award, I am of the view that the income of the deceased was rightly assessed by the Tribunal on the basis of the salary certificate (Ex.P-60). 50% of the income was also

rightly added on account future prospects and right multiplier was applied. However, nothing has been awarded for medical expenses and transportation charges.

Therefore, this Court is of the view that the compensation awarded by the Tribunal is on the lower side. It being so, the appellant should not be aggrieved with the compensation awarded by the Tribunal.

Thus, I find no merit in the present appeal. The same is accordingly dismissed.

July 30, 2015
sarita

(KULDIP SINGH)
JUDGE