

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.4986 of 2015 (O&M)
Date of Decision: August 03, 2015

New India Assurance Company Limited Appellant

vs.

Smt. Usha and others Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Vinod Gupta, Advocate for the appellant.

- 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)

The Insurance Company has filed this appeal against the Award dated 30.05.2015 passed by the Motor Accident Claims Tribunal, Bhiwani (in short 'the Tribunal').

In this case, six years old girl Khushi had died in a road side accident on 31.01.2013.

The Tribunal took into consideration the case law laid down in “**New India Assurance Co. Ltd. vs Satender and others**”, **2007 ACJ 160 (SC)**, “**Lata Wadhwa vs State of Bihar**”, **2001 AIR 3218**, “**National Insurance Company Limited vs Shambu Erappa Sattanali and others**”, **2014(2) AICJ 166** and “**Smt. Sushma and Anr. vs State of Haryana and Ors.**”, **2014(2) RCR (Civil) 452** and assessed ₹30,000/- as notional income and applied the multiplier of 15. ₹50,000/- for loss of love and affection to the mother were also

awarded. In this way, the total compensation of ₹5,00,000/- was awarded by the Tribunal.

I am of the view that in case of death of a six years old girl, ₹5,00,000/- is not on the higher side.

It being so, I do not find any ground to interfere in the impugned Award.

Accordingly, the present appeal stands dismissed.

August 03, 2015
sarita

(KULDIP SINGH)
JUDGE