

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

FAO No.7040 of 2015 (O&M)

Date of decision:14.10.2015

Bhupinder Singh

... Appellant

versus

Amar Nath and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Anshul Mangla, Advocate,
for the appellant.

K.Kannan, J. (Oral)

1. The appeal is at the instance of the owner of the vehicle which was involved in a motor accident resulting in death of a 60 years old woman. The claimants were the husband and two major sons. The court has assessed a compensation of ₹3,74,124/- taking the lady to a labourer and assessed the income at ₹5,341/- per month. The appellant is aggrieved that the income has been assessed rather high. The counsel would rely on a judgment of the Supreme Court in **Arun Kumar Agrawal and another Versus National Insurance Company and others-AIR 2010 3426 (SC)**.

That judgment can hardly be of any relevance for reduction of compensation and if at all, the judgment recognizes the importance of the services of a householder and values the services of a woman to be 50% of what the man's services would be. This judgment

cannot be inferred that for a housewife at all times the husband's income must be seen and 50% of that will alone be taken as the value of the services of the wife. If such an assessment were to be made, there could be no further deductions to be made for the value of the services is the value which means to others and not to herself. I find no inspiration from the judgment to scale down the compensation. On the other hand, I believe that the value of the services for a woman who is aged 60 years to her family and particularly to the husband, who was 66 years old, to be very high. I find no reason for interference with the compensation assessed which includes the component of love and affection for the son and loss of consortium to the husband.

2. The appeal is dismissed.

3. The amount of ₹25,000/- said to have been deposited by the appellant is directed to be dispatched to the Motor Accident Claims Tribunal which amount shall be received by the claimants in part satisfaction of the award.

(K.KANNAN)
JUDGE

14.10.2015
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