

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

**RSA No.3409 of 2013 (O&M)
Date of decision: 23.01.2015**

Bachittar Singh and others ... Appellants

Vs.

Mohinder Kaur and others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. P.S.Sekhon, Advocate
for the appellants.

AMIT RAWAL J. (Oral)

This regular second appeal is directed at the instance of appellants-defendants whereby the suit for damages as compensation was decreed by the trial Court for a sum of ₹5 lacs along with interest at the rate of 9% per annum from the date of death of deceased Gurcharan Singh i.e. 05.04.2003 and the lower Appellate Court modified the judgment and decree of the trial Court by awarding interest from the date of filing of the suit.

It is a matter of record that appellants-defendants were arrayed as accused in FIR registered on account of death of Gurcharan Singh and were convicted.

The suit for damages against accused is maintainable.
The trial Court assessed the compensation by taking into

consideration income of the deceased as ₹10 lacs per annum but however, since the respondents-plaintiffs had claimed a compensation of ₹ 5 lacs.

The judgments of both the Courts below are based on appreciation of oral and documentary evidence.

There is no illegality and perversity in the findings rendered by the Courts below.

No substantial question of law arises for determination of this Court.

Accordingly, the appeal is dismissed.

(AMIT RAWAL)
JUDGE

January 23, 2015
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