

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

313

FAO No. 1203 of 1991
Date of decision-11.02.2016.

Asha Devi and others
Vs.
Sher Mohammed and others

..Appellants
..Respondents

CORAM:- HON'BLE MR. JUSTICE K.KANNAN

Present: Mr. Aseem Aggarwal, Advocate
for the appellants.

Mr. D.P. Gupta, Advocate
for respondent No.3.

K.KANNAN, J(Oral)

The appeal is for enhancement of claim for compensation for death of a male aged 25 years. He was the Constable in the Punjab Police. His annual income with all special allowances aggregated ₹17,910/-. The Tribunal has assessed ₹2,40,000/- as compensation payable for the claimants-widow, minor child, mother and father.

I will make a prospect increase 50% and apply a multiplier of 18. Considering the fact that death was in the year 1989 and there will be a fair component of interest, I will allow ₹50,000/- for the wife and the child for respectively for loss of consortium and loss of love and affection and ₹25,000/- each to each of the parents. The various heads of claims are tabulated as under:-

Fatal Accident		16.06.1989	
Age		25	
Occupation	Constable in Punjab Police/3566		
Claimants	Widow, mother, father, minor child		
	Heads of claim	Tribunal	High Court
Sr. No.		Amount (Rs)	Amount (Rs)
1.	Income		17,910

Fatal Accident		16.06.1989	
2.	Add,% of increase 30%/50%		26,855
3.	Deduction 1/3, 1/4		
4.	Multiplicand		20,148.75
5.	Multiplier	20	18
6.	Loss of dependence		3,62,677.50
7.	Medical expenses		
8.	Loss of consortium		50,000
9.	Loss of love and affection		1,00,000
10.	Loss to estate		5,000
11.	Funeral expenses		5,000
	Total	2,40,000	5,22,677.50

Total compensation would be ₹5,22,677.50/- and an additional compensation will also attract interest @ 7.5 % from the date of petition till date of payment. The compensation will be distributed in the ratio of 2:2:1:1 for the wife, child and parents respectively. The liability shall be on the Insurance company.

The award is modified and the appeal is allowed to the above terms.

(K.KANNAN)
JUDGE

February 11, 2016
vanita