

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.2532 of 1994

Date of Decision.22.03.2016

Smt. Maya Devi and others

.....Appellants

Vs.

Sh. Guljar Singh and others

.....Respondents

Present: Mr. Rajinder S. Rana, Advocate
for the appellants.

None for the respondents.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

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K. KANNAN J. (ORAL)

1. The appeal is for enhancement of compensation for death of a male aged 25 years. The accident had taken place on 09.07.1992. He was said to be working as labourer in brick kiln and the Tribunal has assessed his income at ₹900/- per month. The claimants were wife and two children.

2. I will rework the compensation on the basis of scales which are now provided. I will take the income as already taken by the Tribunal and provide a prospect of future increase at 50% and after making provision for 1/3rd deduction, apply a multiplier of 18. The total loss of dependence will come to ₹2,16,000/-. I will also add ₹50,00/- towards loss of consortium to the wife and ₹50,000/- for each one of the children considering the fact that the accident had taken place in the year 1992 and provision for interest from the year 1992 will

make sufficient accretion to provide for the sums which are now being provided by the Court. I tabulate the various heads of claim as under:-

FATAL ACCIDENT			
Age	09.07.1992		
Occupation	Labourer at Brick Kiln		
Claimants	Widow and 2 children		
	Heads of claim	Tribunal	High Court
Sl. No.		Amount (Rs)	Amount (Rs.)
1	Income	900	900
2	Add, % of increase 50%		1350
3	Less, Deduction 1/3 rd		900
4	Multiplicand (annualized by multiplying 12)	7200	10800
5	Multiplier	12	18
6	Loss of dependence		1,94,400
7	Medical Expenses & Transportation		
8	Loss of Consortium		50,000
9	Loss of love and affection		1,00,000
10	Loss to estate		2500
11	Funeral expenses		5000
	Total	1,02,200	3,51,900

3. The aggregate compensation will be ₹3,51,900/-. The additional amount over what has already been provided by the Tribunal shall also attract interest @7.5% from the date of petition till the date of payment. The amount shall be distributed equally amongst the claimants. The award stands modified and the appeal is allowed to the above extent.

(K. KANNAN)
JUDGE

March 22, 2016
Pankaj*