

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

**F.A.O. No.2071 of 2001 (O&M)**

**Date of Decision : 18.02.2016**

Ranbir Kaur and others

..... Appellants

versus

Mahal Singh and others

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

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Present : Mr. Mayur Kanwar, Advocate  
for Mr. Vivek Suri, Advocate  
for the appellants.

Mr. Vinod Gupta, Advocate  
for the respondent No.3-insurance company.

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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?

**AJAY TEWARI, J. (Oral)**

This appeal has been filed by the claimants for the enhancement of compensation on account of death of Sh. Navinder Singh, aged 36 years, in a motor vehicular accident on 16.09.1996.

The Tribunal assessed the income at Rs.1800/- p.m. and by applying the deduction of 1/3<sup>rd</sup> and multiplier of 13 awarded compensation 1,87,200/- and further awarded Rs.2800/- towards funeral expenses alongwith interest @ 12% p.a.

Learned counsel for the appellants has argued that the multiplier of 15 has to be applied instead of 13 as per the age of the deceased as held by the Hon'ble Supreme Court in ***Sarla Verma and others v. Delhi Transport Corporation and another, 2009 ACJ 1298.***

Learned counsel for the respondent No.3-insurance company has fairly accepted this contention.

Learned counsel for the appellants has further argued that very meagre amount of Rs.2800/- has been given towards funeral expenses and this fact has also not been denied by the learned counsel for the respondent No.3-insurance company.

Learned counsel for the appellants has further relied upon the decision of the Hon'ble Supreme Court in the case of ***Rajesh and others v. Rajbir Singh and others*** reported as ***2013(9) SCC 54***, where an amount of Rs.1 lac was awarded towards loss of consortium to the widow and Rs.1 lac each to three minor children for loss of care and guidance.

Learned counsel for the appellants has further argued that under conventional heads very less amount has been awarded and has relied upon the decision of the Hon'ble Supreme Court in ***Vimal Kanwar and others vs. Kishore Dan and others, (2013-3) PLR 776***, where the Hon'ble Supreme Court awarded a sum of Rs.1 lac to the widow and a sum of Rs.2 lac to the minor girl and Rs.1 lac to the mother on account of loss of love and affection, and another sum of Rs.1 lac towards loss of consortium to the widow.

Learned counsel for the respondent No.3 is not in a position to deny these contentions as well.

Keeping in view the entire conspectus of facts, I award Rs.12,000/- more to the appellants towards funeral expenses. I further direct that multiplier of 15 should be applied. I further award an amount of Rs.50,000/- each towards loss of consortium and towards loss of love and affection to the widow-appellant No.1. I further award an amount of Rs.25,000/- to the son-appellant No.2 and Rs.50,000/- to the daughter-appellant No.3 towards loss of love and affection.

The enhanced amounts shall be paid along with interest @ 8% p.a. from the date of filing of the claim petition till realization. Apart from the individual amounts awarded, the apportionment and management would be as per the direction of the Tribunal. However, since the appellants No.2 and 3 have become major by now the entire amount will be disbursed to them as well.

The appeal is allowed in the above terms and the award is modified accordingly.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

**February 18, 2016**

*ashish*

**( AJAY TEWARI )  
JUDGE**