

965.

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

FAO No.612 of 2012 (O&M)

Date of decision:18.02.2016

National Insurance Company Limited

... Appellant

versus

Darshan Kaur and others

.... Respondents

II. FAO No.6522 of 2012 (O&M)

Darshan Kaur and another

... Appellants

versus

Nirmal Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Vipul Sharma, Advocate,
Mr. Paul S. Saini, Advocate,
for the appellant in FAO No.612 of 2012 and
for respondent No.3 in FAO No.6522 of 2012.

None for others.

K.Kannan, J. (Oral)

I. FAO No.612 of 2012 (O&M)

1. The appeal is by the Insurance Company on an issue of liability and quantum. As the counsel progressed to argue, he said that the issue of liability cannot really be assailed and wanted to rest

his arguments on the issue of quantum. It is a case of death of a male aged 24 years that died on 29.10.2008. The claimants were mother and father. The counsel pointed an error in calculation by the Tribunal which if it properly worked would allow for compensation of only ₹3,09,000/-. The court has, according to him, made an arithmetic mistake and allowed for ₹4,07,000/- as compensation. The life of an individual in India is not cheaper than ₹4,07,000/- in the year 2008 and if there is an error, I take that error as inconsequential, for, I enhance the compensation by another ₹1 lakh and sustain the award for ₹4,07,000/-. The appeal by the Insurance Company is dismissed.

II. FAO No.6522 of 2012 (O&M)

2. There is also an appeal by the claimants for enhancement of compensation. There is no representation for the appellants.
3. Dismissed for default for non-prosecution.

**(K.KANNAN)
JUDGE**

18.02.2016
sanjeev