

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

FAO-752-2012

Date of decision: 10.02.2016

Dal Chand and others

...Appellants

Versus

Samsudin and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ashish Gupta, Advocate,
for the appellants.

Ms. Vandana Malhotra, Advocate,
for the Insurance Company.

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JITENDRA CHAUHAN, J.

The present appeal has been filed seeking enhancement of the amount of compensation awarded by the learned Motor Accident Claims Tribunal, Nuh, ('the Tribunal', for brevity) vide award dated 26.11.2011.

The learned counsel for the appellant contends that the compensation awarded by the learned Tribunal is inadequate and deserves to be enhanced.

On the other hand, the learned counsel for the Insurance

Company contends that just and reasonable compensation has been awarded to the appellants.

I have heard the learned counsel for the parties and perused the record.

It is an admitted fact that the claim petition was preferred by the claimant-appellants under Section 163-A of the Motor Vehicles Act, and therefore, the compensation was to be assessed as per 2nd Schedule thereof. The learned Tribunal, after taking the notional income of the deceased as Rs.15,000/- per annum, applying the multiplier of 15 and deduction of 1/3rd, assessed the compensation as Rs.1,50,000/-. Another amount of Rs.2,000/- for funeral expenses and Rs.2,500/- for loss of estate was also awarded.

After going through the impugned award, this Court does not find any infirmity as the compensation has been assessed after proper appreciation of facts and law.

In view of the above, the present appeal is hereby dismissed.

10.02.2016
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(JITENDRA CHAUHAN)
JUDGE