

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

FAO No.1640 of 2013 (O&M)

Date of decision: September 09, 2016

Smt. Vidya Devi & another

... Appellants

Versus

Pankaj Vashisht and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rakesh Dhiman, Advocate for the appellants.

Mr. Gaurav Gupta, Advocate for

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

Mr. Rajesh K. Sharma, Advocate for respondent No.3.

Rajan Gupta, J.

Claimants have challenged the findings of the tribunal on the limited question of computation of compensation.

Learned counsel for the appellants contends that the tribunal assessed the compensation only to the tune of Rs.2,50,000/- on account of death of Kanhaiya Lal. He submits that tribunal has erred in not granting adequate compensation under usual heads like funeral expenses, loss of love and affection and loss of consortium etc. He, thus, submits that reasonable amount may be granted to the appellants under the aforesaid heads.

Learned counsel for the respondent No.3 insurance company submits that adequate compensation has been awarded for the death of deceased Kanhaiya Lal.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

It appears that accident took place on 15.03.2010, wherein Kanhaiya Lal, husband of appellant No.1 and father of appellant No.2 had died. Admittedly, accident took place due to rash and negligent driving respondent No.1 driver of the vehicle in question. The deceased was an old man of 72 years of age at the time of accident. Keeping in view age of deceased, the tribunal granted Rs.2,50,000/- as compensation to the appellants. Besides, Rs.20,000/- was granted on account of funeral expenses and Rs.20,000/- for love and affection, loss of consortium as well as mental agony. I am of the considered view that there is no error in the impugned award. Thus, no interference in the appellate jurisdiction of this court is called for.

Dismissed.

CM-8630-CII-2013:

There is a delay of 617 days in filing the appeal. Since the main appeal has been dismissed on merits, this application for condonation of delay does not survive and the same is also dismissed.

(RAJAN GUPTA)
JUDGE

September 09, 2016
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No