

207.

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

FAO No.2132 of 2013 (O&M)

Date of decision:23.04.2016

Daulat Ram and others

... Appellants

versus

Naveen Kumar and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr.Rajesh Arora, Advocate,
for the appellants.

None for the respondents.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

CM No.10079-CII of 2013

At the asking of the court, Mr. Ravinder Arora,
Advocate, takes notice on behalf of Insurance Company-respondent
No.2.

For the reasons stated in the application, delay of 164
days in filing the appeal is condoned.

Application stands disposed of.

FAO No.2132 of 2013

1. The grievance of the appellants is that the provision for

loss to estate, funeral expenses and loss of consortium have merely aggregated to ₹9,500/- instead of making provision for a larger sum as assessed in some of the recent decisions of the Supreme Court commencing from **Rajesh Versus Rajbir Singh-2013(9) SCC 54**.

There is no scope for a deviation possible in a claim under Section 163-A of the Motor Vehicles Act except to the choice of multiplier for children aged 15 as directed by the Supreme Court in **Reshma Kumari and others Versus Madan Mohan and another- (2013) 9 SCC 65**. Till the legislature steps in to modify Schedule-II, the scales of compensation which are applied under Section 166 cannot be imported into claim under Section 163-A. There is no other ground urged in the appeal.

2. The award is confirmed and the appeal is dismissed.

(K.KANNAN)
JUDGE

23.04.2016
sanjeev