

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

**FAO No.10260 of 2014
Decided on: 18.11.2016**

Roop Singh and others

....Appellants

Versus

Sunil and others

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Ashok Kaushik, Advocate
for the appellants.

Mr. Devender Garsi, Advocate
for Mr. Rajesh Bansal, Advocate
for respondent No.3.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation in regard to death of Smt. Bala wife of Roop Singh in a motor vehicular accident that took place on 22.10.2011.

The learned Tribunal assessed value of services of the deceased at Rs.2,500/- per month, added 50% increase for future prospects, deducted 1/4th for personal expenses and adopted a multiplier of 17 to compute loss of dependency at Rs.5,73,648/-. In addition, an amount of Rs.10,000/- each for loss of consortium, loss of estate, last rites and transportation has been awarded making total compensation to Rs.6,03,648/- payable with interest @ 7% per annum.

Counsel for the appellants has submitted that assessment qua value of services of the deceased is inadequate and liable to be enhanced as the deceased left behind a family consisting of her husband and four minor children. It is further submitted that compensation

allowed under conventional heads needs enhancement.

Counsel for respondent No.3 has supported the award with the submission that no increase in compensation determined by the Tribunal is justified.

I have heard counsel for the parties and perused the paperbook particularly the award passed by the Tribunal.

Smt. Bala aged less than 30 years met an unfortunate end leaving her family shattered particularly the four minor children. A housemaker is required to discharge multifarious duties such as looking after household affairs, taking care of the children, meeting social obligations, etc. Taking a clue from the value of services of a person hired for doing domestic work, services of the deceased are valued at Rs.6,000/- per month. However, there shall not be any addition towards future prospects. Similarly, there would be no deduction for personal expenses in the light of Division Bench judgment of this Court *“Paramjit Singh and another vs Dilbagh Singh @ Bagga and others”*, 2014(4) RCR (Civil) 895. In view of the above, loss of dependency comes to **Rs.12,24,000/-** (Rs.6,000/- x 12 x 17).

Under conventional heads, an amount of **Rs.1,00,000/-** for loss of consortium to the husband, **Rs.3,00,000/-** in equal share for loss of love and affection to the minor children and **Rs.25,000/-** for expenses on funeral is awarded. The total compensation comes to Rs.16,49,000/- and the additional compensation is **Rs.10,45,352/-** (Rs.16,49,000/- – Rs.6,03,648/-) payable with interest @ 7.5% per annum from the date of petition till realization.

The additional amount shall be shared by the children of

the deceased in equal share and shall be deposited in fixed deposit receipts payable on their attaining the age of majority. The interest accruing on the fixed deposit receipts shall be payable to their father for meeting expenses on their education and living.

The appeal is partly allowed in the aforesaid terms.

18.11.2016

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(REKHA MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No