974.

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.2555 of 2013 (O&M)
Date of decision: 19.02.2016

The Oriental Insurance Company Limited ... Appellant

versus

Manjit Kaur @ Manpreet Kaur and others .... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr.Sanjiv Pabbi, Advocate,
for the appellant.

None for the respondents.

K.Kannan, J. *(Oral)*

The appeal is by the Insurance Company on an issue of quantum. The main grievance is that the Tribunal took the gross income at ₹34,362/- without making a deduction for making deduction for tax. Even I should apply the deduction for tax, I notice that the Tribunal has provided for loss of consortium at ₹5,000/-, funeral expenses at ₹5,000/- and no provision was made for loss of love and affection for the three children. If tax were to be deducted and if we apply the scales of compensation for loss of love and affection, loss of consortium and funeral expenses as suggested in the decision of the Supreme Court in ***Rajesh Versus Rajbir Singh-2013(9) SCC 54*** and the subsequent decisions, the total sum amount would not require to be modified. The appeal is dismissed.

(K.KANNAN)
JUDGE

19.02.2016
sanjeev