

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

FAO-1263-2014

Decided on: 11.08.2016

Girdawari and another

.... Petitioners

Versus

Jaswinder Kaur and others

..... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Dheeraj Narula, Advocate,
for the appellants.

Mr. Amrinder Singh Sidhu, Advocate, for
Mr. Sandeep Suri, Advocate,
for respondent No.3.

Mr. S.K. Verma, Advocate, for
respondents No.4 and 5.

Mr. Rajneesh Malhotra, Advocate,
for respondent No.6.

Rekha Mittal, J. (Oral)

The claimants are in appeal seeking enhancement of compensation awarded by the Motor Accident Claims Tribunal, Sirsa (for brevity 'the Tribunal') under Section 163A of the Motor Vehicles Act, 1988 (for short 'the Act'). The sole submission made by counsel for the appellants is that the deceased was 45 years old and admissible multiplier would be 15 in place of 14 applied by the learned Tribunal.

Counsel for the contesting respondents representing the Insurance Companies have supported the award.

I have heard counsel for the parties and perused the paper book and award passed by the Tribunal.

Keeping in view age of the deceased when examined in the light of second schedule appended to Section 163A of the Act, the admissible multiplier would be 15 in place of 14. After applying multiplier of 15, loss of dependency comes to **₹3,96,000/-** (Rs.2200 x 12 x 15) and the enhanced compensation would be **₹16,400/-** (₹3,96,000 - 3,79,600) payable with interest @ 7.5% per annum from the date of filing of the claim petition till realization in terms of the award passed by the learned Tribunal.

Disposed of.

11.08.2016
Dinesh

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No