

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

**FAO No.1418 of 2014 (O&M)
Decided on: 22.08.2016**

Leelu and others

.... Appellants

Versus

Mohinder Singh and others

..... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: None for the appellants.

Mr. Vijay Kumar, Advocate, for
Mr. Munish Mittal, Advocate,
for respondents No.1 and 2.

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

Rekha Mittal, J. (Oral)

The claimants are in appeal seeking enhancement of compensation awarded by the Motor Accident Claims Tribunal, Karnal (in short 'the Tribunal') in regard to death of Sewa Ram aged about 65 years in a motor vehicular accident that took place on 11.01.2012.

The learned Tribunal has assessed income of the deceased at ₹4,500/- per month, deducted 1/3rd for his personal expenses and adopted a multiplier of 7 and on this account the loss of dependency comes to the tune of ₹2,52,000/-.

Another amount of ₹10,000/- each has been awarded for expenses on funeral, loss of love and affection and deprivation of protection and social security etc.

Counsel for the insurance company has submitted that no enhancement of compensation is justified in view of circumstances of the present case.

I have heard counsel for the insurance company, perused the paper-book, particularly the award passed by the learned Tribunal.

The award passed by the Tribunal with regard to assessment of loss of dependency does not warrant any intervention. However, the appellants shall be entitled to an amount of ₹25,000/- each for expenses on funeral and loss of estate. They are also awarded an amount of ₹50,000/- in equal share for loss of love and affection, deprivation of protection and social security etc. In this manner, an amount of ₹80,000/- is enhanced towards compensation that shall carry interest @ 7.5% from the date of filing of petition till realization. The enhanced compensation shall be payable to the appellants in equal share.

Disposed of accordingly.

22.08.2016
Dinesh

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No