

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No. 2146 of 2015 (O&M)

Date of decision : May 10, 2016

Jeewan Lal and another,

..... Appellants

v.

Ram Patti and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Nimanyu Gautam, Advocate
for Mr. Deepak Aggarwal, Advocate
for the appellants.

Ms. Vandana Malhotra, Advocate
for respondent No.3.

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

C.M No.6587 CII of 2015

This is an application for condonation of delay of 312 days in filing the appeal. Counsel for the Insurance Company states that she would have no objection to the delay being condoned subject to the condition that the appellants be held dis-entitled for interest for the said period.

I find it to be a fair submission. Consequently, this application is allowed and delay is condoned. It is, however, clarified that the appellants would not be entitled to interest for the said period, in case the

compensation is enhanced.

FAO No.2146 of 2015

This appeal has been filed for enhancement of compensation. Since the liability is not disputed, detailed reference of the facts would not be required. Suffice it to say that in the accident, the deceased had died and the Tribunal awarded a total compensation of ₹ 11,80,000/-.

Counsel for the appellants has argued that the dispute is only on two issues. Firstly, only a sum of ₹ 5000/- was awarded as funeral expenses and the same is required to be enhanced. I find it to be correct and award a sum of ₹ 20,000/- more. Secondly, on account of loss of love and affection only a sum of ₹ 5000/- has been awarded. I find this also to be correct. Consequently, I award a sum of ₹ 95,000/- more towards loss of love and affection to appellant No.2. The enhanced amount would carry interest @ 8% pa from the date of the application till the date of payment subject to the order passed in the application for condonation of delay. The entire enhanced amount would be handed over to respondent No.2.

This appeal stands disposed of.

May 10, 2016
'kk'

(AJAY TEWARI)
JUDGE