

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

**FAO-2765-2015 (O&M)
Date of decision: 29.02.2016**

Manjit Kaur @ Manpreet Kaur and others

...Appellants

Versus

Jaspal Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ramandeep, Advocate,
for Mr. P.K. Kataria, Advocate,
for the appellants.

None for respondent No.1, despite service.

Mr. Rajiv Kumar, Advocate for respondent No.2.

Mr. Lalit Garg, Advocate for respondent No.3.

-.-

JITENDRA CHAUHAN, J.

CM-8541-CII-2015

Heard.

For the reasons contained in the application, the same is
allowed and the delay of 97 days in filing the appeal is condoned.

FAO-2765-2015

The present appeal has been preferred by the claimant-
appellants, seeking enhancement of the amount of compensation

awarded vide impugned award dated 14.08.2014, passed by the learned Motor Accident Claims Tribunal, Amritsar (for short, 'the Tribunal').

The learned counsel contends that the deceased was 33 years of age at the time of his death in the accident. He was working as a laboratory technician with Vasani Eye Care Hospital Pvt. Ltd. and earning Rs.15,000/- per month. Therefore, the compensation awarded under the conventional heads is on the lower side and deserves to be enhanced.

On the other hand, the learned counsel for the respondents have vehemently opposed the present appeal.

I have heard learned counsel for the parties and gone through the record.

In the present case, the deceased left behind four claimants, viz. the wife, two minor sons and the mother. The learned Tribunal has awarded an amount of Rs.1,00,000/- towards loss of consortium to the claimant-wife, however, it is noticed that nothing has been awarded to the minor children for loss of love, care and guidance. Accordingly, an amount of Rs.1,00,000/- is awarded to the minor children of the deceased under this head, to be shared by them in equal parts. Furthermore, another amount of Rs.50,000/- is awarded to the claimant-mother of the deceased for loss of love and affection.

In view of the above, the claimant-appellants are held entitled to the enhanced compensation of Rs.1,50,000/-, as indicated above, over and above the amount already awarded by the learned Tribunal, which shall be payable within a period of 45 days from the date of receipt of a certified copy of this judgment, failing which, they shall also be entitled to interest @ 7.5% per annum, from the date of filing the present appeal, till its realization.

With the aforesaid modification in the impugned award, the present appeal is partly allowed.

29.02.2016

atulsethi

**(JITENDRA CHAUHAN)
JUDGE**