

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

**FAO-278-2015 (O&M)
Date of decision: 02.06.2016**

Smt. Sohanbiri

...Appellant

Versus

Gurpreet Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sanjeev Patiyal, Advocate
for the appellant (s).

Mr. Parminder Singh, Advocate
for respondent Nos.1 and 2.

Mr. V. Ram Saroop, Advocate
for respondent No.3.

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JITENDRA CHAUHAN, J.

CM No.810-CII of 2015

After hearing the learned counsel for the parties and for the reasons contained in the application, which is duly supported by an affidavit, same is allowed and delay of 177 days in filing the present appeal is condoned.

Main Case

This is claimant's appeal seeking enhancement of the amount of compensation awarded vide impugned award dated 09.12.2013, passed by learned Motor Accidents Claims Tribunal,

Karnal, (for short, 'the Tribunal').

The sole argument raised by the learned counsel for the appellant is that nothing has been awarded towards loss of love and affection, which is contrary to the law laid down in **Vimal Kanwar and others Vs. Kishore Dan and others**, (2013-3) PLR 776.

The learned counsel for the respondents have failed to controvert the submission made by the learned counsel for the appellant.

I have heard the learned counsel for the parties and perused the entire record on file.

In view of Vimal's case (supra), the appellant-claimant is held entitled to the enhanced compensation of ₹1,00,000/- towards loss of love and affection, in the manner prescribed in the impugned award, 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, she 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.

02.06.2016
ashok

(**JITENDRA CHAUHAN**)
JUDGE