

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

FAO No.5081 of 2014

Date of decision : 04.11.2016

Rajender

.....Appellant

Versus

Arjun Singh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. J.P. Sharma, Advocate for appellant.

Ms. Vandana Malhotra, Advocate with
Ms. Monika Jangra, Advocate for
respondent-Insurance Company.

DARSHAN SINGH, J.

The present appeal has been preferred by the appellant-claimant against the award dated 05.04.2014, passed by the learned Motor Accidents Claims Tribunal, Narnaul (hereinafter called the “Tribunal”), vide which appellant-claimant has been awarded compensation to the tune of Rs.8,20,000/- on account of the death of his brother Hans Raj in the motor vehicular accident which took place on 20.03.2012.

2. The present appeal has been preferred by the appellant-claimant for the enhancement of the amount of compensation.

3. I have heard learned counsel for the parties and gone through the record of the case meticulously.

4. Initiating the arguments, Mr. J.P. Sharma, Advocate, learned counsel for the appellant contended that the learned Tribunal has awarded less amount of compensation towards loss of love and affection of his brother and other conventional heads. Thus, he contended that just amount of compensation has not been awarded to the appellant-claimant.

5. On the other hand, learned counsel for respondent-Insurance Company contended that the just amount of compensation has been awarded by the learned Tribunal under all the relevant heads and there is no scope of any further enhancement.

6. I have duly considered the aforesaid contentions.

7. Appellant-claimant Rajender is the brother of deceased Hans Raj. Learned Tribunal has awarded a total amount of Rs.8,20,000/- as compensation to the claimant on account of death of his brother Hans Raj in the present motor vehicular accident. The learned Tribunal has awarded Rs.20,000/- under the head of loss of love and affection. The claimant cannot be equated with the children or the parents of the deceased. So, no fault can be found with the award of Rs.20,000/- on account of loss of love and affection of his brother by the appellant-claimant.

8. Learned counsel for the appellant could not point out as to what is the deficiency in grant of the compensation under the other conventional heads. Thus, the amount of compensation awarded by the learned Tribunal is just and appropriate and no interference is called for by this Court.

9. Resultantly, the present appeal is without any merit and the same is hereby dismissed.

04.11.2016

sunil yadav

(DARSHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No