

218.

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

FAO No.5949 of 2013 (O&M)

Date of decision:10.05.2016

Risalo Devi

... Appellant

versus

M/s D.T.S. Tours & Travels and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Arun Yadav, Advocate,
for the appellant.

None for the respondents.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

1. The appeal is for enhancement of compensation for death of a male aged 21 years. He was said to be a labourer and the claim was made by the mother of the deceased. The Tribunal awarded a compensation of ₹80,000/-. The assessment is erroneous and out of sync with the mandate of the scales applicable for Schedule-II for claim under Section 163-A of the Motor Vehicles Act.

2. Taking the income at ₹3,000/- as assessed, there shall be a deduction of 1/3rd and taking the contribution to the mother at

₹2,000/-, the loss of dependency will be worked out by applying a multiplier of 18, the amount will be ₹4,32,000/- and to that shall be added ₹4,500/- towards funeral expenses and loss to estate. The total compensation shall be ₹4,36,500/- and the amount in addition of what has already been awarded by the Tribunal shall attract interest at 9% from the date of petition till date of payment. The liability shall be on the Insurance Company.

3. The award stands modified and the appeal is allowed to the above extent.

(K.KANNAN)
JUDGE

10.05.2016
sanjeev