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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.6166 of 2014 (O&M)
Date of decision: 30th August, 2016

Smt. Sapna and others

...Appellants

Versus

Deen Dayal and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Kunal Dawar, Advocate,
for the appellants.

Mr. Rakesh Kumar Sharma, Advocate
for respondent Nos.1 and 2.

None for respondent No.3.

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REKHA MITTAL, J (ORAL)

Smt. Sapna and others, the claimants are in appeal, seeking enhancement of compensation in regard to death of Vijay alias Vijay Pal in a Motor vehicular Accident that occurred on 19.11.2012.

Counsel for the appellants has submitted that the learned Tribunal has not awarded any compensation for loss of love and affection to the minor children and mother of the deceased. The appellants are also entitled to compensation for loss of estate.

Counsel for respondent Nos.1 and 2 has supported the award, passed by the learned Tribunal. There is no representation on behalf of respondent No.3, earlier being represented by counsel.

I have heard learned counsel for the appellants, perused the paper book particularly the award, passed by the learned Tribunal.

The Tribunal has not awarded any compensation to the children and mother of the deceased for loss of love and affection. Varsha, Megha and Vishal-appellants-claimants No.2 to 4, minor children of the deceased,

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are awarded an amount of Rs.2,25,000/- in equal share and respondent No.5-Smt. Premwati, mother, is allowed an amount of Rs.50,000/- for loss of love and affection. The appellants shall be entitled to an amount of Rs.25,000/- for loss of estate. The enhanced compensation comes to Rs.3,00,000/-, payable to minor children with interest @ 7.5% per annum from the date of filing of the petition till its realization. The compensation shall be deposited in the names of minors in equal share, in fixed deposit receipts, payable on attaining the age of majority. However, the interest accruing on the fixed deposit receipts shall be payable to mother of the minors to meet the expenses on their education and living.

The appeal stands disposed of accordingly.

(REKHA MITTAL)
JUDGE

30th August, 2016
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