

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

FAO No. 7765 of 2014 (O&M)  
Date of Decision: March 31, 2016

Sukhwant Kaur and another

...Appellants

Versus

Ranjit Singh and others

...Respondents

**ORAM:- HON'BLE MR. JUSTICE K. KANNAN**

Present: Mr. Upender Prashar, Advocate,  
for the appellants.

Ms. Vandana Malhotra, Advocate,  
for the insurance company—respondent No.3.

**K. KANNAN, J. (Oral)**

CM No. 20688 CII of 2014

For the reasons stated in the application, delay in filing the appeal is condoned.

Main case

1. Notice to the 1<sup>st</sup> respondent is dispensed with since the 3<sup>rd</sup> respondent insurance company is served which can protect the interest.
2. The compensation assessed is complained of as inadequate for a claim by the parents. The Tribunal has merely provided ₹12,000/- for funeral expenses but has not provided any amount for love and affection. The Tribunal has also not provided any amount for loss of estate. The further grievance is that the tribunal took the income only at ₹7,000/- and reliance is placed on the judgment of this Court in Rekha Rani and another

Versus Ranjit Singh and another 2012 (4) PLR 553 that the likely income for an engineering college student could have taken at least at ₹10,000/-.

3. A notional income is what is normally taken on the basis of the evidence given before the Tribunal and the expectation of the parents when the student completes its education. If the claimant himself has set out the income at ₹7,000/-, I cannot apply the ratio of judgment in Rekha Rani's case (supra) for higher sum of ₹10,000/-. I will retain the same and make an additional compensation payable for the loss of love and affection at ₹1 lakh for parents and additional amount of ₹13,000/- over ₹12,000/- as funeral expenses and yet another ₹5,000/- for loss of estate. In all, there there will be additional compensation of ₹1,18,000/- with interest at the rate of 9% from the date of the petition till the date of payment. The liability shall be the same as determined already.

4. The appeal is allowed to the above extent.

**March 31, 2016**  
prem

**(K.KANNAN)**  
**JUDGE**