

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

FAO No. 6961 of 2015 (O&M)

Date of Decision : 14.07.2016

Ravinder Singh and another

.....Appellants

Versus

Gurjeet Kaur and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Balbir Singh Jaswal, Advocate
for the appellants.

Surinder Gupta, J.

This is appeal against award dated 31.03.2015 passed by Motor Accident Claims Tribunal, Amritsar (later referred to as 'the Tribunal') awarding compensation of ₹5 lacs for death of Akashdeep Singh, aged 9 years, in a motor vehicle accident with tractor-trolley (later referred to as 'the offending vehicle') owned by appellant no. 2-Gurwinder Singh.

2. As per case of claimants, on 13.05.2014 at about 05.30 p.m., Akashdeep Singh (deceased) was playing with his friends near village Dujowal when he was hit by the offending vehicle, which was being driven by appellant no. 1-Ravinder Singh @ Ravi in a rash and negligent manner. Akashdeep Singh received multiple injuries and was taken to Civil Hospital, where he succumbed to his injuries.

3. Relying on the observations of Apex Court in case of **Kishan Gopal and another vs. Lala and others, 2013 (4) RCR (Civil) 276**, the Tribunal took notional income of the deceased as ₹30,000/- per annum and by applying the multiplier of 15 and granting ₹50,000/- towards loss of love and affection, funeral expenses etc. awarded compensation of ₹5 lacs.

owner of the offending vehicle were held liable to pay amount of compensation.

5. Learned counsel for the appellants could not cite any law contrary to the observations of Apex Court in case of ***Kishan Gopal (supra)*** to make out that compensation awarded by the Tribunal is on higher side. Consequently, this appeal has no merit and the same is dismissed.

6. Statutory amount of ₹25,000/- deposited by appellants be sent to executing Court for payment to claimants towards compensation awarded by the Tribunal.

July 14, 2016
jk

(SURINDER GUPTA)
JUDGE