

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No. 7600 of 2015 (O&M)

Date of decision: 12.05.2016

Kamaljit Kaur and another

... Appellants

versus

Lovepreet Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. B.R. Rana, Advocate for the appellants.

K.Kannan, J. (ORAL)

CM No. 23981-CII-2015

For the reasons mentioned in the application, duly supported by an affidavit, delay of 30 days in filing the appeal is condoned.

CM is disposed of.

FAO No. 7600 of 2015

The appeal is for enhancement of claim for compensation for death of a 17 year old boy who had gained admission into Engineering College. The Tribunal assessed the compensation of Rs. 12,00,000/- as loss of dependency making reference to the judgment in Kamaljit Kaur Vs. PEPSU Road Transport Corporation, (2006) RD-P&H 7354. The court took notice of the fact that 7 years had passed and provided for Rs. 12,00,000/- as the compensation. It is surely a unscientific and poor method of reckoning compensation, for, the Court is bound to make some estimation of the likely expectation of the parents from such a son who had gained admission into engineering college. I will make the estimation of Rs.10,000/- at least as the income making the deduction of 50% for a claim for the death of a bachelor in

the manner contemplated in Sarla Verma Vs. Delhi Transport Corporation, 2009 (3) RCR (Civil) 77 and so reckoned the loss of dependency would be Rs. 10,80,000/-. I will provide for Rs. 1,00,000/- for loss of love and affection, Rs. 25,000/- for funeral expenses and Rs. 5,000/- for loss to estate. All this will still not excess the amount already assessed by the Tribunal at Rs. 13,20,000/-.

I find no scope for further increase. The appeal is dismissed with the above observation.

(K.KANNAN)
JUDGE

12.05.2016

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