

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

FAO-9961-2014 (O&M)
Date of decision: 24.05.2016

Kanta Devi and others

...Appellants

Versus

Mahinder Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vivek Suri, Advocate
for the appellants.

Mr. V. K. Gupta, Advocate
for respondent Nos.1 and 2.

Mr. Ajay Singla, Advocate
for respondent No.3.

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JITENDRA CHAUHAN, J.

This is claimants' appeal seeking enhancement of the amount of compensation awarded vide impugned award dated 14.03.2014, passed by learned Motor Accidents Claims Tribunal, Panchkula (for short, 'the Tribunal').

The sole argument raised by the learned counsel for the appellants is that nothing has been awarded towards love and affection, which is contrary to the law laid down in *Vimal Kanwar and others Vs. Kishore Dan and others*, (2013-3) PLR 776.

On the other hand, the learned counsel for the respondents have stated that a just and reasonable compensation has already been awarded to the appellants.

I have heard the learned counsel for the parties and perused the record.

Following the law laid down in Vimal Kanwar's case amount of ₹1,00,000/- towards loss of love and affection shall be payable to the mother of the deceased, only.

In view of the above, the claimant-appellants are held entitled to the enhanced compensation of ₹1,00,000/- (towards loss of love and affection payable to the mother of the deceased, only) as indicated above, in the manner prescribed in the impugned award, over and above the amount already awarded by the learned Tribunal, which shall be payable within a period of 45 days from the date of receipt of a certified copy of this judgment, failing which, they shall also be entitled to interest @ 7.5% per annum, from the date of filing the present appeal, till its realization.

With the aforesaid modification in the impugned award, the present appeal is partly allowed.

24.05.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**