

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

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FAO 930 of 2015 (O&M)
Date of decision: 08.11.2016

Anguri Devi *Appellant*
Versus
Virender Kumar and others *Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: None for the appellant

Mr. Naveen Mandhan, Advocate for
Mr. Sumit Gupta, Advocate
for respondent No. 2

Mr. Ravinder Arora, advocate
for respondent No. 3

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Rekha Mittal, J. (Oral)

The present appeal directs challenge against award dated 12.02.2014 passed by the Motor Accidents Claims Tribunal, Kurukshetra whereby compensation has been awarded in favour of the appellant-Anguri Devi, widow of deceased Zile Singh who died in a motor vehicular accident that took place on 13.06.2011.

The Tribunal assessed income of the deceased at Rs.10,000.00 per month, deducted 50% for personal expenses and adopted multiplier of 7 to compute loss of dependency at Rs.4,20,000.00. In addition, an amount of Rs.1,00,000.00 for loss of consortium, Rs.1,00,000.00 for loss of love and affection and Rs.25,000.00 for funeral expenses has been awarded, making total compensation to the tune of Rs.6,45,000.00, payable along with

interest @ 7.5% per annum from the date of petition till realization.

The plea of the claimant is that the deceased was an agriculturists and was earning Rs.10,000.00 per month. The Tribunal by relying upon 'J' Forms Ex. P2 to P7 assessed income of the deceased at Rs.10,000.00 by holding that the land has been inherited by the legal representatives of the deceased. The Tribunal has rightly allowed deductions to the extent of 50% as widow is the only dependent upon earning of the deceased. As the deceased was 65 years of age, the Tribunal has rightly allowed multiplier of 7 in the light of judgment *Smt. Sarla Verma and others v. Delhi Transport Corporation and another*, (2009) 6 SCC 121. I do not find anything lacking in assessment made by the Tribunal, warranting intervention or justifying enhancement of compensation.

For the foregoing reasons, finding no merit, the appeal fails and is accordingly dismissed.

(Rekha Mittal)
Judge

08.11.2016
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No