

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No. 1368 of 2014 (O&M)
Date of Decision: October 09, 2017

Saroj Devi and others

..Appellant(s)

Versus

Sant Lal and others

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Ms. Bhavna Grewal, Advocate for
Mr. S.K. Yadav, Advocate
for the appellants.

Mr. Pardeep Kumar, Advocate
for respondent no.3.

ANITA CHAUDHRY, J.

Delay in filing the appeal is condoned.

This is the claimants' appeal seeking enhancement of the
award dated 26.04.2013, passed by the Motor Accident Claims
Tribunal, Narnaul.

Counsel for the appellants urges that the Tribunal had
failed to award any amount separately for loss of consortium or for
loss of love and affection and less amount had been awarded for
funeral expenses and the compensation be appropriately increased.

The submission on behalf of the insurance company is
that the accident is of 2011 and that should be considered while
making any addition.

The deceased was 31 years of age. The Tribunal had considered the income certificate and had made an addition towards future prospects and had rightly made the deduction and applied the correct multiplier to calculate the compensation to be Rs.25,24,304/-.

The appellants are only seeking addition and enhanced amount on three heads.

The Tribunal had awarded Rs.10,000/- for loss of consortium and loss of love and affection to the appellants and respondent no.4 and Rs.10,000/- for funeral expenses. I would make the following additions.

1.	Loss of consortium	Rs.90,000/-
2.	Loss of love and affection for the minor children	Rs.1,00,000/-
3.	Funeral Expenses	Rs.15,000/-
	TOTAL	Rs.2,05,000/-

The appellants would be entitled to the additional amount of Rs. 2,05,000/- with interest @ 6% per annum from the date of filing the appeal till its realization.

The appeal is partly allowed.

(ANITA CHAUDHRY)
JUDGE

October 09, 2017
sunil

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