

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

-.-

FAO 5487 of 2014 (O&M)
Date of decision: 08.12.2017

Sanjaya Devi and another

..... Appellants

Versus

Suresh Kumar and others

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Vipul Sharma, Advocate
(Amicus Curiae appointed by the Court)

Mr. N K Manchanda, Advocate
for respondent No. 3

-.-

Rekha Mittal, J. (Oral)

The claimants are in appeal seeking enhancement of compensation in regard to death of Sunder Pal in a motor vehicular accident that took place on 25.09.2009.

The application for compensation was filed under Section 163-A of the Motor Vehicles Act, 1988 (in short, 'the Act'). The Tribunal has awarded compensation to the tune of Rs.3,26,700.00, detailed here-under:-

Loss of dependency	Rs.3,07,200.00
Expenses of treatment	Rs.15,000.00
Funeral expenses	Rs.2,500.00
Loss of estate	Rs.2,000.00

Perusal of the award would indicate that the Tribunal has assessed compensation by applying the structured formula provided for in the Second Schedule, appended to Section 163-A of the Act.

Counsel for the appellants has not advanced any arguments much less meaningful to justify enhancement of compensation allowed by the Tribunal. I do not find any error much less illegality in the assessment made by the Tribunal warranting intervention.

For the foregoing reasons, the appeal fails and is accordingly dismissed.

As the appeal has been decided on merits, application for condonation of delay of 700 days is of academic relevance only.

(Rekha Mittal)
Judge

08.12.2017
mohan bimbura

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