

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

F.A.O No. 6533 of 2015

Date of decision:- 03.10.2017

Jagir Kaur and others

...Appellants

Versus

Gurvinder Singh and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Kushagra Mahajan, Advocate
for the appellants

Mr. Sanjeev Majra, Advocate for respondent Nos. 1 and 2

Mr. R.K. Bishamboo, Advocate for the Insurance Company

RITU BAHRI J. (Oral)

The present appeal has been preferred by the claimants-appellants, seeking enhancement of the amount of compensation awarded by the learned Motor Accident Claims Tribunal, Amritsar (for short, 'the Tribunal') to the tune of Rs. 4,66,020/-, vide impugned award dated 17.10.2014.

The facts which are not in dispute are that on 13.12.2011, the deceased was returning from his duty as watchman and when he reached near Sacred Heart School, G.T. Road Beas, Amritsar, one Tata bus bearing registration No. HR-67-8355 came from behind and struck against the bicycle of the deceased, as a result of which he fell down and died at the spot

The learned tribunal awarded the compensation to the claimants as under:-

<i>Sr. No.</i>	<i>Heads</i>	<i>Calculations</i>
(i)	Salary	Rs.4000/- per month
(ii)	15% of (i) above to be added as future prospects=	Rs.4000+Rs.600=Rs.4600/- per month
(iii)	1/3 of (ii) deducted as personal expenses of the deceased=	Rs.4600-Rs.1535=Rs.3065 per month
(iv)	Compensation after multiplier of 9 is applied	Rs.3065 X 12 X 9= Rs.3,31,020/-
(v)	Loss of estate	Rs.10,000/-
(vi)	Funeral charges	Rs.25,000/-
(vii)	Loss of consortium to wife	Rs.1,00,000/-
	Total compensation	Rs.4,66,020/-

Learned counsel for the appellants at the very outset restrict his prayer with regard to awarding the compensation on account of love and affection to major son of deceased who had been awarded nothing by the learned Tribunal.

In view of the above factual position, this appeal is being disposed of and the major son of the deceased i.e appellant Nos. 2 and 3 are hereby awarded Rs.1 lacs (Rs.50,000/- each) under the head loss of love and affection. The remaining conditions of disbursal of amount shall remain unaltered.

03.10.2017
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No