

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

FAO No.6796 of 2015(O&M)

Date of decision: 22.12.2017

Sarishta Devi and another

....Appellants

VERSUS

Ashok Kumar and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Virender Partap Singh, Advocate for the appellants.

None for respondent No.2.

REKHA MITTAL, J. (Oral)

CM No.21222-CII of 2015

Prayer in this application is for condonation of delay of 380 days in re-filing the appeal.

Heard.

In view of the averments made in the application, the application is allowed and delay of 380 days in re-filing the appeal stands condoned, subject to condition that in case, the appellants succeed in appeal, they will forego interest for the period of delay.

Disposed of accordingly.

FAO No.6796 of 2015

Counsel for the appellants has submitted that the controversy raised in the present appeal is squarely covered by the judgment dated

20.11.2017 passed by this Court in FAO No.5968 of 2014 and connected appeals and may be disposed of accordingly.

The claimants/appellants are unfortunate parents of Naveen Sharma aged about 23 years who died in a road accident along with Vikram Singh @ Bhola, Rohit Sharma, Daljit Singh and Ashok Kumar and driver of ill-fated car bearing No.HR-01L-0488 on 13.08.2009 when they were on their way to Mani Mahesh in Himachal Pradesh. Taking into consideration the compensation allowed qua death of Vikram Singh, Rohit Sharma, Daljit Singh and Ashok Kumar in FAO Nos.8283, 1583, 7928 and 5229 of 2015 coupled with facts of present case being identical with the aforesaid cases, claimants shall be entitled to compensation of Rs.6,34,800/- and additional amount of Rs.1,87,800/- (Rs.6,34,800/- - Rs.4,47,000/-) with interest in terms of decision in FAO No.8283 of 2015 except for the period of delay of 380 days in re-filing the appeal.

Disposed of accordingly.

DECEMBER 22, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no