

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

FAO No. 6850 of 2015(O&M)

Date of decision: 29.8.2017

Kusum Sood

....Appellant

VERSUS

Maghar Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. F.S. Virk, Advocate for the appellant.

Mr. Vandana Malhotra, Advocate for respondent No.3.

REKHA MITTAL, J.(Oral)

The claimant is in appeal seeking enhancement of compensation awarded by the Motor Accidents Claims Tribunal, Ludhiana (in short 'the Tribunal') in regard to death of Varinder Kumar Sood in a motor vehicular accident that took place on 14.03.2012.

Varinder Kumar Sood was a Government employee and retired from service two months before his unfortunate demise. The Tribunal has computed loss of dependency by assessing his income at Rs.8,000/- per month and adopted a multiplier of 9 to calculate an amount of Rs.8,64,000/- payable in this regard. In addition, an amount of Rs.5,000/- each for loss of estate and funeral expenses and Rs.10,000/- for loss of consortium has been awarded, making total compensation to Rs.8,84,000/- payable with interest.

Counsel for the appellant has fairly informed the Court that he presses the appeal only qua addition in compensation under conventional

heads in the light of judgments of Hon'ble the Supreme Court **Rajesh and others Vs. Rajbir Singh and others, 2013 (3) RCR (Civil) 170** and **Vimal Kanwar and others Vs. Kishore Dan and others, 2013 (2) RCR (Civil) 945.**

Counsel for the insurance company has supported the awarded with the submission that adequate compensation has been awarded under conventional heads.

I have heard counsel for the parties, perused the paper-book particularly the award.

Indisputably, Varinder Kumar Sood died in a road accident as he received multiple injuries on 14.03.2012. In view of the judgments referred to by counsel for the appellant, the appellant is awarded compensation under conventional heads as follows:-

- | | | |
|----|---------------------|---------------|
| 1. | Loss of consortium | Rs.1,00,000/- |
| 2. | Expenses on funeral | Rs.25,000/- |
| 3. | Loss of estate | Rs.25,000/- |

The additional amount of Rs.1,30,000/- shall be payable with interest at the rate of 7.5% per annum from the date of petition till realization.

The appeal is partly allowed in the aforesaid terms.

AUGUST 29, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no