

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

FAO-7152-2015 (O&M)

Date of decision: 15.5.2017

Manjeet Singh

...Appellant

Versus

Dharam Singh and others

...Respondents

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.Maharaj Kumar, Advocate for the appellant

SNEH PRASHAR, J.

CM-22607-CII-2015

The present application under Section 5 of the Limitation Act has been filed for condonation of delay of 26 days in filing the appeal.

For the reasons enumerated in the application, the same is allowed and the delay is condoned subject to all just exceptions.

FAO-7152-2015

By way of the present appeal, the appellant- claimant is seeking enhancement of the compensation awarded by learned Motor Accident Claims Tribunal, Patiala (for short 'the Tribunal') vide award dated 28.5.2015 passed in MACT No.161 of 18.9.2014 on account of death of Arshpreet Kaur, daughter of the appellant, in a motor vehicular accident that took place on 9.5.2014.

The submissions made by Mr.Maharaj Kumar, Advocate representing the appellant have been considered.

The sole argument raised by learned counsel for the appellant is that the interest awarded on the compensation amount is on the lower side.

Admittedly, Arshpreet Kaur aged 8 years, daughter of the appellant, died in a motor vehicular accident on 9.5.2014 caused by respondent No.1 driver of the offending truck. Learned Tribunal following the law laid down by Hon'ble Supreme Court in **Kishan Gopal and another vs. Lala and others 2013 (4) RCR (Civil) 276**, assessed her notional income as Rs.30,000/- per annum and by applying multiplier of 15, awarded a sum of Rs.4,50,000/- and also awarded Rs.50,000/- under conventional heads. The compensation awarded is just and appropriate. The liability has been fastened on the respondents jointly and severally. Learned Tribunal also awarded interest @ 6% per annum on the award amount from the date of filing of the claim petition till its realization. In the considered opinion of this Court, the rate of interest awarded is adequate and calls for no intervention.

In the said premise, the appeal being devoid of merit is dismissed.

15.5.2017
gsv

(SNEH PRASHAR)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No