

In the High Court of Punjab and Haryana at Chandigarh

**F.A.O No. 9554 of 2014
Date of Decision: 08.5.2017**

Dhanra Devi and others

.....Appellants

Versus

Karam Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Ms. Amandeep Kaur, Advocate and
Mr. Ashwani Arora, Advocate
for the appellants.

Mr. Suvir Dewan, Advocate
for the insurance company.

ANITA CHAUDHRY, J

This is the claimants' appeal seeking enhancement in the award dated 15.9.2014 passed by the Motor Accident Claims Tribunal, SAS Nagar (Mohali).

Shiv Pujan aged 56 years met with an accident on 20.6.2012. The Tribunal had taken his income reflected in his income tax returns. A deduction of 1/3rd was made. An addition of 15% was allowed towards future prospects and annual contribution to the family was calculated as Rs. 1,24,775/-. The multiplier of 9 was applied to calculate the loss. In addition to this, claimants No. 2 and 3 were allowed Rs. 50,000/- each for loss of love and affection. A sum of Rs. 25,000/- was awarded for funeral expenses. The total amount allowed was Rs. 13,48,000/-.

The submission on behalf of the appellants is that correct

multiplier was not applied and the deceased was 55 years old and the multiplier of 11 should have been applied.

The submission on the other hand was that in the post-mortem report, the age was mentioned as 56, therefore, the multiplier was correctly applied.

It is not disputed that in the post-mortem report the age was shown as 56. No evidence was led to show that the deceased was 55 years of age. Therefore, I find no merit in the appeal. The appellants had been adequately compensated on all the heads.

No other issue was raised.

The appeal is dismissed.

(ANITA CHAUDHRY)
JUDGE

May 08, 2017
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No