

LPA no. 1232 of 2016 (O&M)

1

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

LPA no. 1232 of 2016 (O&M)

Date of Decision :29.08.2017

Nasib Kaur and others

....Appellant(s)

Versus

Punjab State Power Corporation Limited and another

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr.Puneet Gupta, Advocate for the appellant(s)

Ms. Jaspal Kaur Gurna, Advocate for respondent

MAHESH GROVER, J.(ORAL)

The appellants are legal representatives of the deceased Jagar Singh @ Ujagar Singh who died on account of electrocution when the wire supplying electricity to the village suspended from a wooden pole snapped and got entangled in the bicycle of the deceased.

Learned Single Judge awarded a sum of Rs. 10,40,052/- and since Rs. 3,12,940/- was already paid by the respondents, the remaining amount of Rs.7,27112/- was ordered to be disbursed.

It is contended before us that the amount awarded is inadequate as the dependency has been wrongly assessed. The deceased left behind four legal representatives and the income of the family has been assessed as Rs.1,70,000/- per annum.

Learned counsel for the respondent states that the compensation

awarded is adequate and findings recorded by the learned Single Judge

deserves to be upheld.

We have heard learned counsel for the parties. The learned Single Judge after assessing the personal income of deceased as Rs. 10,000/- per month, deducted 1/3rd for his personal expenses. Considering the fact that the deceased has four legal representatives, we are of the opinion that amount on account of personal expenses ought to have been 1/4th. This would imply that the income for the family would be Rs.7,500/- per month (annual income = 7500 x 12 = 90,000) and by applying multiplier of 13, it comes to Rs.11,70,000/- (90000x13 = 11,70,000). We also award a sum of Rs. 30,000/- for loss of love and affection. Therefore, total compensation comes to Rs. 12,00,000/- (Rupees twelve lacs only). Except for the above modifications, we do not deem it appropriate to interfere with the impugned order.

Respondents are directed to disburse the amount of compensation within a period of four months from the date of receipt of the certified copy of this order.

Allowed in above terms.

(Mahesh Grover)
Judge

(Raj Shekhar Attri)
Judge

29.08.2017

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No