

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.3949 of 2017
Date of Decision: 03.07.2017

The New India Assurance Co.Ltd.

.....Appellant

Vs.

Minder Kaur and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sukhdarshan Singh, Advocate, for the appellant.

RITU BAHRI, J. (ORAL)

The appellant has come up in appeal against the order dated 12.04.2017, whereby, learned Tribunal has awarded a compensation of Rs.10,33,000/- in favour of deceased who was 34 years old.

Learned Tribunal while calculating the compensation had taken into consideration the judgment of Sarla Verma Vs. Delhi Transport Corporation, 2009 ACJ 1298 (SC), Rajesh and others Vs. Rajbir Singh and others, 2013 ACJ 1403 and Munna Lal Jain Vs. Vipin Kumar 2015 (6) SCC 347. The vehicle was duly insured. Since, deceased was 34 years of age, therefore, as per judgment of Rajesh and others and Munna Lal Jain and others (Supra), 50% addition of the amount of compensation by way of future prospects which comes to Rs.3,36,000/- was also given. Besides the same, a sum of Rs.25,000/- was awarded to claimants in lump-sum towards funeral expenses, transportation of dead body and last rites etc. thus, the claimants were rightly awarded compensation of Rs.6,72,000/- + Rs.3,36,000/- + Rs.25,000/- = Rs.10,33,000/-.

Learned counsel for the appellant submits that amount awarded in the head of future prospect which comes to Rs.3,36,000/- should be reduced.

the ratio of the judgment Munna Lal Jain and ors. (Supra) and compensation has been rightly calculated under the head of future prospect.

So in the light of the discussion, the orders of the learned Tribunal does not reflect any material irregularity or perversity which warrant interference. Hence the present appeal stands dismissed.

(RITU BAHRI)
JUDGE

03.07.2017
anil

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No