

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.6667 of 2017(O&M)

Date of decision: 22.12.2017

Rajinder and anotherAppellants

VERSUS

Kapoor Singh and othersRespondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Aakash Juneja, Advocate for the appellants.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation awarded by the Motor Accidents Claims Tribunal, Rohtak (in short 'the Tribunal') in regard to death of Arun in a motor vehicular accident that took place on 12.05.2014

The Tribunal has awarded compensation to the tune of Rs.4,52,180/-, detailed hereunder:-

Sr. No.	Heads of claim	Amount (Rs.)
1.	Income	3250/-
2.	Deduction 1/3 rd towards personal living	1080/-
3.	Multiplicand (annualized)	2170 x 12= 26,040/-
4.	Multiplier	17
6.	Loss of consortium	5,000
7.	Loss to estate	2,500
8	Funeral expenses	2,000
	Total	4,52,180/-

Admittedly, the application for compensation was filed under Section 163-A of the Motor Vehicles Act, 1988 (in short 'the Act'). In a claim for compensation under Section 163-A of the Act, compensation is to be assessed in the light of structured formula provided in the Second Schedule appended thereto. I have examined compensation assessed by the Tribunal and represented in a tabulated form but unable to find any discrepancy in assessment made by the Tribunal. In this view of the matter, no interference in the award passed by the Tribunal qua quantum of compensation or enhancement thereof is justified.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine. As the appeal has been decided on merits, application for condonation of delay of 122 days is of academic relevance only.

DECEMBER 22, 2017

'D. Gulati'

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no