

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.1314 of 1994(O&M)

Date of Decision: 02.05.2018

Rupinder Kaur & anr.

... Appellants

Versus

Amarjit Singh & ors.

.. Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. G.S. Punia, Advocate,
for the appellants.

Ms. Ravinder Pratap Kaur, Advocate, for
Mr. N.S. Lucky, Advocate,
for respondent No.1.

Mr. Vinod Chaudhari, Advocate,
for respondent No.2-Insurance Company.

Mr. Bhupinder Banga, Advocate,
for respondents No.4 & 5.

RAMENDRA JAIN, J.(Oral)

Claimants through this appeal have sought enhancement of compensation by modifying impugned award dated 09.02.1994 of the Motor Accident claims Tribunal, Ludhiana (in short 'the Tribunal').

Both the parties are *ad idem* to the effect that this appeal has to be decided according to principles laid down in National Insurance Company Ltd. Vs. Pranay Sethi & ors., 2017(4) RCR (Civil) 1009.

As per calculations mark 'A' furnished by learned counsel for the appellants-claimant, in accordance with judgment aforesaid, net amount payable to the appellants-claimant comes to ₹5,56,504/- over and above the compensation already awarded to them by the learned Tribunal vide impugned award.

Learned counsel for the respondent-Insurance Company has not

been able to controvert or point out any infirmity in the above calculations mark 'A'.

In view of discussion made above, this appeal stands disposed of with direction to respondent No.2-Insurance Company to deposit the enhanced compensation of ₹5,56,504/- before the learned Tribunal within two months from today along with upto-date interest @ 7.5% per annum from the date of institution of the claim petition till realization for onward disbursement to the appellants-claimant in proportion so arrived at by it, in accordance with law against proper receipt and identification. In case of non-compliance of this order, the enhanced compensation would entail interest @ 12% after two months.

02.05.2018
monika

(RAMENDRA JAIN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>