

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203-B

F.A.O. No.2415 of 1996 (O&M)
Date of Decision : 12.11.2018

Smt. Poonam Goel and another

..... Appellants

versus

Yash Pal Malik and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. C.B. Goel, Advocate
for the appellants.

Mr. Suvir Dewan, Advocate
for respondent No.3-insurance company.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This appeal has been filed by the claimants/appellants seeking enhancement of compensation on account of death of a 6 years old boy Rahul.

Since the only issue involved is quantum of compensation, the detailed reference to the facts is not required. The Tribunal held respondent No.1 responsible for causing the accident and awarded lumpsum compensation of Rs.2,00,000/-.

Counsel for the appellants has relied upon the decision in

Kishan Gopal and another v. Lala and others, 2013(4)R.C.R.(Civil) 276,

wherein the Hon'ble Supreme Court awarded Rs.5 lacs in the case of death of 10 years old boy.

Counsel for respondent No.3 is not in a position to deny this.

I find that in the present case there is no reason to take a view different from Kishan Gopal's case (supra) and consequently, the compensation is increased to Rs.5 lacs. The enhanced amounts shall be paid along with interest @ 12 % p.a. from the date of filing of the claim petition till realization. The apportionment and management would be as per the direction of the Tribunal.

Appeal stands disposed of in the above terms.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

November 12, 2018

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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No