

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

438

Date of Decision : 06.07.2018

1.

FAO No.289 of 1999 (O&M)

Pepsu Road Transport Corporation, Patiala
and another

..... Appellants

Versus

Veerpal Kaur and others

..... Respondents

2.

FAO No.753 of 1999 (O&M)

Veerpal Kaur and another

..... Appellants

Versus

Gobinder Singh and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr.Aman Sharma, Advocate
for the appellants (FAO No.289 of 1999)
for respondent No.2 (FAO No.753 of 1999).

Mr. Munish Bhardwaj, Advocate
for respondent No.1 (FAO No.289 of 1999)
for the appellants (FAO No.753 of 1999).

AJAY TEWARI, J. (Oral)

This order shall dispose of above mentioned two appeals.

These cross appeals have been filed against the award dated

01.12.1998 passed by the Motor Accident Claims Tribunal, Bathinda. One

has been filed by the claimants for enhancement, FAO No.753 of 1999 while FAO No.289 of 1999 has been filed by the owner-Pepsu Road Transport Corporation, Patiala-PRTC.

The appeal of PRTC is challenging only the quantum of compensation. The deceased was working as a constable and was drawing a salary of Rs.4,312/- per month and was 26 years old.

Counsel for the appellants in FAO No.753 of 1999 states that as per judgment of *National Insurance Company Ltd. vs. Pranay Sethi and others, 2017(4) RCR (Civil)1009*, there would be increase of 50% future prospects and the multiplier would be 17. However, counsel for the PRTC has argued that since there were three dependents the deduction of 1/3rd has to be made.

I find this to be correct. Consequently, I hold that multiplier of 17 has to be applied and I also grant future prospects of 50%. Further deduction of 1/3rd would have to be made. The apportionment and management would be in the same proportion as granted by the Tribunal. The enhanced amount would carry interest @8% from the date of filing of the claim petition till the date of payment.

Both the appeals are disposed of in the above terms.

Since the main cases have been decided, the pending civil miscellaneous applications, if any, also stand disposed of.

(AJAY TEWARI)
JUDGE

06.07.2018

Pooja sharma-I

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