

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.3066 of 2001 (O&M)
Date of decision:-22.10.2018

GURDIAL SINGH AND ANOTHER

....APPELLANTS...

V.

NACHHATAR SINGH AND OTHERS

....RESPONDENTS...

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. H.S. Dhandi, Advocate,
for the appellants.

Ms. Nikita Bansal, Advocate for
Mr. Nitin Bansal, Advocate,
for respondent No.2-PRTC.

AJAY TEWARI, J. (ORAL)

This appeal has been filed against the award dated 09.01.2001 passed by Motor Accidents Claims Tribunal, Patiala, whereby a sum of Rs.1,73,000/- was awarded for the death of Hari Singh. Since, very limited issue has been raised by the claimants further detailed reference of the facts would not be required.

The only argument made by learned counsel is that the multiplier has been taken as per the age of the parents whereas it should be as per the age of the deceased.

Counsel for the respondent is not in a position to deny this fact.

In this circumstance, the multiplier is taken as '18' since the age of the deceased is 21 years.

It has further argued that under the conventional heads,

Rs.5000/- has been awarded by the Tribunal against the judgment of Hon'ble Supreme Court in "*National Insurance Company Ltd. And Pranay Sethi and ors., 2017(4) RCR (Civil) 1009*", I award Rs.65,000/- more under the conventional head.

Counsel for the respondent is not in a position to deny this fact.

Learned counsel further states that no interest has been granted by the Tribunal.

In view of decision of Hon'ble Supreme Court passed in Civil Appeal No.9581 of 2018, "*Magma General Insurance Co. Ltd. v. Nanu Ram @ Chuhru Ram and ors.*" decided on 18.09.2018, I award 12% interest on the entire compensation from the date of filing the claim petition till the date of payment.

22.10.2018
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(AJAY TEWARI)
JUDGE

whether speaking/reasoned:	Yes/No
whether reportable:	Yes/No