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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

FAO No.357 of 2001 (O&M)  
Date of Decision: 12.09.2018

Roshni Devi and others .....Appellants

Vs

Joginder Singh and others ....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Ms. Parminder Kaur, Advocate for  
Mr. Vishal Gupta, Advocate  
for the appellants.

Mr. Gopal Mittal, Advocate  
for respondent No.3/Insurance Company.

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**RAJ MOHAN SINGH, J. (Oral)**

[1]. With the concurrence of learned counsel for the parties, since the liability has been fastened upon respondent No.3/Insurance Company, therefore, I prefer to hear learned counsel for the appellants and respondent No.3/Insurance Company for final disposal of this appeal.

[2]. Learned counsel for the appellants on the strength of **National Insurance Co. Limited vs. Pranay Sethi, 2017 SCC 1270** submitted that the calculations under different heads came out to be Rs.3,39,976/-.

[3]. To the extent of aforesaid calculations, learned counsel

for respondent No.3/Insurance Company has not disputed as per ratio of **National Insurance Co. Limited vs. Pranay Sethi's** (supra). His only grievance is that the matter was tried before the Lok Adalat, whereby the Insurance Company has already offered an amount of Rs.3,00,000/- which was not accepted by the appellants in the year 2015.

[4]. Be that as it may, the only difference appears to be of Rs.40,000/-. Since the calculations have been made on the basis of **National Insurance Co. Limited vs. Pranay Sethi,'s** case (supra), therefore, I deem it appropriate to accept the prayer made by learned counsel for the appellants as the same has not been refuted by learned counsel for the Insurance Company with reference to such material on record.

[5]. In view above, this appeal is allowed. Respondent No.3/Insurance Company is directed to make good the enhanced amount to the tune of Rs.3,40,000/- along with interest @ 7.5% from the date of filing of claim petition till final realization of the amount.

September 12, 2018

Atik

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)**  
**JUDGE**

Yes/No

Yes/No