

FAO No.4980 of 2006

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

FAO No.4980 of 2006
Date of decision: 31.05.2018

Sunita Kapoor and others

.....Appellants

versus

Rattan Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. A.K. Goel, Advocate, for the appellants.
Mr. Vinod Gupta, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

Prayer through instant appeal has been made for enhancement of compensation, modifying the impugned award dated 01.08.2006 of the Motor Accident Claims Tribunal, Yamuna Nagar (hereinafter referred to as the 'Tribunal').

Both the parties are *ad idem* that this appeal has to be decided in accordance with the judgment of the Hon'ble Supreme Court in ***National Insurance Company Limited v. Pranay Sethi and others***, 2017(4) R.C.R. (Civil) 1009.

Learned counsel for the appellants has produced the calculation sheet in accordance with ***Pranay Sethi's*** case (supra) in Court. The same is taken on record as Mark 'A'. As per calculations, appellants are entitled to compensation of ₹7,07,350/- over and above the compensation already awarded by the Tribunal. Learned counsel for the Insurance Company is not able to refute the same.

FAO No.4980 of 2006

₹7,07,350/- over and above the amount of compensation already granted to them by the Tribunal along with interest @ 7.5% per annum from the date of institution of claim petition till realization. Respondent No.3 – Insurance Company is directed to deposit the amount aforesaid within two months from today before the Tribunal for onward disbursement of the same to the appellants in proportion so arrived at by the Tribunal in accordance with law against proper receipt and identification.

In case, above enhanced amount is not deposited by the Insurance Company, the same would entail interest @ 12% per annum after two months

Disposed of.

May 31, 2018
R.S.

(Ramendra Jain)
Judge

Whether speaking/reasoned Yes/No

Whether reportable Yes/No.