

FAO No.1604 of 2011 (O&M)

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

FAO No.1604 of 2011 (O&M)
Date of decision: 25.04.2018

Rambilash and others

.....Appellants

versus

Subhash and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Sukhdev Singh, Advocate,
for Mr. Ashish Yadav, Advocate, for the appellants.
Ms. Vandana Malhotra, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

CM-4561-CII of 2011

For the reasons mentioned in the application, same is allowed.

Delay of 46 days in filing the accompanying appeal is condoned.

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Prayer through instant appeal has been made for enhancement of compensation awarded to appellant-claimants by the Motor Accident Claims Tribunal, Rewari, vide award dated 26.05.2010.

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.***

In compliance of order dated 26.02.2018, 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

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₹2,73,100/- over and above the compensation already awarded by the Tribunal, which is not refuted by learned counsel for the Insurance Company.

Consequently, appellants are awarded enhanced compensation of ₹2,73,100/- over and above the amount of compensation already granted to them by the Tribunal along with interest @ 6% 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.

Disposed of.

(Ramendra Jain)
Judge

April 25, 2018
R.S.

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