

FAO No.5625 of 2011

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

FAO No.5625 of 2011
Date of decision: 03.05.2018

Nirmal Kaur and others

.....Appellants

versus

Sukhwinder Singh @ Sukha and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Bhim Singh, Advocate, for the appellants.
Mr. Sandeep Suri, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

Prayer through instant appeal has been made for enhancement of amount of compensation awarded to appellant-claimants by the Motor Accident Claims Tribunal, Panchkula, vide award dated 07.05.2011.

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 appellant has produced the calculation sheet in accordance with ***Pranay Sethi's*** case (supra) in Court. The same is taken on record as Annexure 'A'. As per calculations, compensation payable to the appellants comes to ₹11,90,000/-. Learned Tribunal has already awarded compensation of ₹9,16,000/-. Thus, appellants are entitled to enhanced compensation of ₹2,74,000/- over and above the compensation already awarded by learned Tribunal. Learned counsel for Insurance

FAO No.5625 of 2011

above calculations furnished by learned counsel for the appellants.

Consequently, appellants are awarded enhanced compensation of ₹2,74,000/- over and above the amount of compensation already granted to them by learned 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 learned 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.

May 03, 2018
R.S.

(Ramendra Jain)
Judge

Whether speaking/reasoned Yes/No

Whether reportable Yes/No.