

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

**FAO No.6690 of 2011 (O & M)
Date of Decision:-19.3.2018**

Jagbir Singh and another

...Appellants

Versus

Mohammad Salim and others

...Respondents

CORAM:- HON'BLE MRS. JUSTICE REKHA MITTAL

Present:- Mr. Anshuman Dalal, Advocate
for the appellants.

Mr. Ashwani Talwar, Advocate
for respondent No.3-insurance company.

REKHA MITTAL J.(Oral)

Claimants are in appeal seeking enhancement of compensation on account of death of Amit, aged 14 years, in a motor vehicular accident that took place on 28.6.2010.

The Tribunal has awarded compensation of Rs.1,50,000/-, detailed hereunder :-

Notional income of the deceased	Rs.15,000/- per annum
Deduction for personal expenses	50%
Multiplier	18
Loss of dependency	Rs.1,35,000/-
Funeral expenses as well as	

loss of estate Rs.15,000/-

Counsel for the appellants would argue that compensation awarded by the Tribunal is on lower side and needs enhancement.

Counsel representing the insurance company has supported assessment made by the Tribunal.

Notional income of the deceased assessed by the Tribunal as Rs.15,000/- per annum is ordered to be affirmed. However, there shall be no deduction for personal expenses, admissible multiplier in the light of judgments of Hon'ble the Supreme Court **Puttamma and Others vs. K.L. Narayana Reddy and another, AIR 2014 SC 706, Reshma Kumari and others vs. Madan Mohan and another 2013(2) RCR (Civil) 660 and National Insurance Company Limited vs. Pranay Sethi and others, 2017 SCC 1270**, would be '15'. In this manner, loss of dependency comes to Rs.15000 x 15=Rs.2,25,000/-. A sum of Rs.15,000/- allowed by the Tribunal on account of funeral expenses and loss of estate is appropriated towards funeral expenses. In this manner, total compensation is Rs.2,40,000/- and additional amount of Rs.90,000/- is payable with interest of 7.5% per annum from the date of petition till realization to mother of the deceased.

The appeal is partly allowed in the aforesaid terms.

March 19, 2018
Vijay Asija

(**REKHA MITTAL**)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No