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

**FAO-323-2012 (O&M)
Date of decision : 16.01.2018**

Bhupinder Singh and others

... Appellant(s)

Versus

General Manager, Chandigarh Transport Undertaking
and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Somesh Gupta, Advocate
for the appellant(s).

Mr. Suvir Sehgal, Senior Standing Counsel with
Mr. D.K. Singal, Advocate and
Mr. Akshay Sethi, Advocate
for the respondent(s).

AMIT RAWAL, J. (ORAL)

The present appeal has been preferred by the claimants being the sons of Harbans Kaur, who died in a motor accident occurred on 12.07.2009, for enhancement of compensation against the Award passed by the Tribunal, whereby a compensation of ₹3,70,000/- along with interest @ 6% per annum, had been awarded.

Learned counsel appearing on behalf of the appellants-claimants submits that the Tribunal has awarded the compensation to the tune of ₹3,70,000/-, which is on lower side as the Tribunal took the income of the deceased as ₹4,000/-. Moreover, no increase was made in the salary towards future prospects and the amount of ₹3,000/- towards funeral

expenses and ₹15,000/- on account of loss of estate, is also too meagre, thus, there is scope for enhancement.

On the other hand, learned counsel appearing on behalf of the respondent submits that the appellants-claimants are major, at the time of filing of the claim petition, therefore, they would not be entitled to claim the compensation, thus, the findings of the Tribunal in awarding the compensation of ₹3,70,000/- to the claimants are liable to be set aside. It is a settled law that the adult children are not dependent upon the parents and therefore, they have not been deprived of loss of earning, thus, urges this Court for dismissal of the appeal.

I have heard the learned counsel for the parties and appraised the paper book and of the view that there is no scope of enhancement as the appellants-claimants being the sons of deceased are major and they cannot be said to be dependent upon their parents. No other evidence has been referred to enable this Court to form different opinion than the one arrived at by the Tribunal.

No other point had been addressed.

Accordingly, the appeal is dismissed.

16.01.2018
Yogesh Sharma

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**