

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.3063 of 2013(O&M)

Date of Decision: 08.05.2018

Nihal Singh & ors.

... Appellants

Versus

Balbir Singh & ors.

.. Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. J.P. Sharma, Advocate,
for the appellants.

Mr. Kulwinder Singh, Advocate, for
Mr. Sanjeev Goyal, Advocate,
for respondent No.3-Insurance Company.

RAMENDRA JAIN, J.(Oral)

Claimants through this appeal have sought enhancement of compensation by modifying impugned award dated 04.04.2013 of the Motor Accident claims Tribunal, Narnaul (in short 'the Tribunal').

Both the parties are *ad idem* to the effect that this appeal has to be decided according to principles laid down in National Insurance Company Ltd. Vs. Pranay Sethi & ors., 2017(4) RCR (Civil) 1009.

As per calculations Annexure 'A' furnished by learned counsel for the appellants-claimant, in accordance with judgment aforesaid, net amount payable to the appellants-claimant comes to ₹4,13,200/- over and above the compensation already awarded to them by the learned Tribunal vide impugned award.

Learned counsel for the respondent-Insurance Company has not been able to controvert or point out any mistake in the above calculations Annexure 'A'.

In view of discussion made above, this appeal stands disposed of

with direction to respondent No.3-Insurance Company to deposit the enhanced compensation of ₹4,13,200/- before the learned Tribunal within two months from today along with upto-date interest @ 7.5% per annum from the date of institution of the claim petition till realization for onward disbursement to the appellants-claimant in proportion so arrived at by it, in accordance with law against proper receipt and identification.

08.05.2018
monika

(RAMENDRA JAIN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>