

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

FAO No.1721 of 2016(O&M)

Date of decision: 17.7.2018

J.K. Wadhwa

.....Appellant

VERSUS

Rajat Kumar and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sourabh Kapoor, Advocate for
Mr. Ashit Malik, Advocate for the appellant.

REKHA MITTAL, J. (Oral)

The claimant is in appeal seeking enhancement of compensation on account of death of Smt. Shanti Devi in a road-side accident.

The Motor Accidents Claims Tribunal, Kurukshetra (in short 'the Tribunal') has assessed value of services of the deceased at Rs.9,000/- per month but allowed loss of dependency at the rate of Rs.6000/- per month computed by applying multiplier of 5. Taking into consideration age of the deceased who was 70 years old at the time of occurrence, value of her services is liable to be assessed at Rs.6,000/- per month. Therefore, even if no deduction for personal expenses is to be allowed, there is no scope for enhancement of compensation qua loss of dependency. Even compensation allowed under conventional heads is more than what can be allowed in the light of latest judgment of Hon'ble the Supreme Court

National Insurance Company Ltd. Vs. Pranay Sethi and others, 2017

SCC 1270.

In this view of the matter, there is no justification for enhancement of compensation.

For the foregoing reasons, appeal fails and is accordingly dismissed in limine. No order as to costs.

JULY 17, 2018

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no