

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.2927 of 2015(O&M)

Date of Decision: 03.04.2018

Kitabo & ors.

... Appellant

Versus

Arsad Khan & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Ms. Monika Arora, Advocate, for
Mr. Pritam Saini, Advocate,
for the appellant.

Mr. Barjinder Singh, Advocate, for
Mr. Ashish Gupta, Advocate,
for respondent No.1.

Mr. Jaswant Jain, Advocate,
for respondents No.2 and 3.

Mr. Punit Jain, Advocate,
for respondent No.4.

RAMENDRA JAIN, J.(Oral)

Claimants through this appeal have sought enhancement of compensation by modifying impugned award dated 24.12.2014 of the Motor Accident claims Tribunal, Panipat (in short 'the Tribunal').

Fresh correct calculations filed on behalf of the appellants, which tallies with the calculations submitted by the respondent-Insurance Company.

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

According to the said calculation sheet, an amount of ₹3,30,000/- is more to be awarded to the appellants over and above the amount of ₹10,90,000/- already awarded by the Tribunal.

In view of above settlement, respondent No.4-Insurance Company is directed to deposit the amount of ₹3,30,000/- before the learned Tribunal within one month from today along with interest @ 7.5% per annum from the date of institution of the claim petition till its realization for onward disbursement to the appellants in proportion so arrived at by it, in accordance with law against proper receipt and identification.

With the above observation, this appeal stands disposed of.

03.04.2018

monika

(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No