

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.4985 of 2014(O&M)
Date of Decision: 02.05.2018

Sita Devi & ors.

... Appellants

Versus

Chandan Singh & ors.

.. Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Arun Kaundal, Advocate,
for the appellants.

Mr. Amrinder Singh Sidhu, 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 16.05.2013 of the Motor Accident claims Tribunal, Chandigarh (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 calculation Annexure 'A' filed by leaned counsel for the appellants-claimant, in accordance with the judgment aforesaid, the appellants-claimant are entitled to total compensation of ₹4,69,861/- including interest component over and above the compensation already awarded by the learned Tribunal.

Learned counsel for the respondent-Insurance Company has not been able to controvert or point out any infirmity in the above calculation.

In view of discussion made above, this appeal stands disposed of with direction to the Insurance Company to deposit the enhanced

compensation of ₹4,69,861/- before the learned Tribunal within two months from today along with 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. In case of non-compliance of this order, the aforesaid compensation amount would entail interest @ 12%.

02.05.2018
monika

(RAMENDRA JAIN)
JUDGE

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