

FAO- 2457 of 2016(O&M)
Date of Decision: 5.2.2018

Rattan Kumar @ Dholu and another

---Appellants

versus

Shyam Singh and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: None for the appellants
Mr. M.B.Jain, Advocate for respondent No. 3
Mr. Punit Jain, Advocate for respondent No. 6

Rekha Mittal, J.

Appellants are not present despite an intimation sent to them.

The unfortunate parents of Sunil have filed the instant appeal seeking enhancement of compensation on account of death of their son in a motor vehicular accident that took place on 24.5.2014.

The Motor Accidents Claims Tribunal, Jind (in short “the Tribunal”) has awarded compensation to the tune of Rs. 10,20,000/-, detailed hereunder:-

Monthly income of the deceased	Rs. 6000/-
Addition in income for future prospects	50%
Multiplier	18
Deduction for personal expenses	50%
Loss of dependency	4500x12x18=Rs.9,72,000/-
Funeral charges conveyance expenses and loss of estate	Rs. 25,000/-
Loss of love and affection	Rs. 23,000/-

I have carefully gone through findings of the Tribunal on issue No. 2 and find that compensation awarded by the Tribunal is more than

what can be allowed in the light of latest judgment of Hon'ble the Supreme Court **National Insurance Company Limited vs. Pranay Sethi and others 2017 SCC 1270**. That being so, there is no justification for enhancement of compensation. Accordingly, assessment made by the Tribunal is affirmed.

For the foregoing reasons, the appeal stands disposed of.

(Rekha Mittal)
Judge

5.2.2018

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No