

**250/4 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO No. 2502 of 2016(O&M)

Date of decision : 27.08.2018

Ranjit Singh and another

..... Appellants

versus

Ramji Mishra and others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Siddharth Gupta, Advocate for the appellants.

Mr.Neeraj Khanna, Advocate
for Mr.Ravinder Arora, Advocate
for respondent No.3.

REKHA MITTAL , J. (ORAL)

The claimants are in appeal seeking enhancement of compensation on account of death of Paramjit Kaur, their mother in a motor vehicular accident that took place on 2.5.2014.

The Tribunal has awarded compensation of ₹ 50,000/-for loss of estate holding that both the claimants are not dependent upon income of the deceased.

Counsel for the claimants would urge that the claimants cannot be denied compensation for loss of services of the deceased. It is argued that the Tribunal should have assessed loss of services as she had been looking after family consisting of her husband, son and daughter. Adequate compensation may be allowed under conventional heads.

Counsel representing the insurance company has supported the award with the submission that claimants have been adequately compensated.

I have heard learned counsel for the parties, perused the paper book and the records.

Indisputably, the deceased was a house wife. She had been looking after domestic affairs of her family. Value of services of the deceased is assessed at Rs. 5000/- per month. No deduction for personal expenses would be made, in the light of Division Bench judgment of this Court *Paramjit Singh and another vs. Dilbag Singh alias Bagga and others 2014(4) RCR (Civil) 895*. Multiplier of 11 is admissible in view of judgment of Hon'ble the Supreme Court *Smt.Sarla Verma and others vs. Delhi Transport Corporation and another 2009 ACJ 1298*. In this manner, loss of dependency is calculated at Rs. 6,60,000 (5000x12x11).

Under conventional heads, claimants are entitled to Rs. 15,000/- for funeral expenses.

Total compensation is Rs. 6,75,000/- and the additional amount is Rs. 6,25,000 (6,75,000 – 50,000), payable with interest @ 7.5% per annum from the date of petition till realization to the claimants, in equal shares.

The appeal is partly allowed in the aforesaid terms.

(REKHA MITTAL)
JUDGE

27.08.2018
sunita/paramjit

Whether speaking/reasoned	Yes
Whether Reportable	Yes/No