

FAO No.5234 of 2014

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

FAO No.5234 of 2014
Date of decision: 28.05.2018

Rajinder

.....Appellant

versus

Girdhari Lal and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Sumit Gupta, Advocate, for the appellant.
Mr. J.S. Bedi, Addl. A.G., Haryana.
Mr. Navin Kapur, Advocate, for the Insurance Company.

RAMENDRA JAIN, J. (ORAL)

Prayer through instant appeal has been made for enhancement of compensation under the conventional heads, modifying the award dated 30.09.2013 of the Motor Accident Claims Tribunal, Jhajjar.

Both the parties are *ad idem* that this appeal has to be decided in accordance with the judgment of the Hon'ble Supreme Court in ***National Insurance Company Limited v. Pranay Sethi and others, 2017(4) R.C.R. (Civil) 1009.***

According to learned counsel for the appellant a total sum of ₹30,000/- was required to be paid under the conventional head of funeral expenses and loss of estate, whereas learned Tribunal has granted only ₹25,000/- under the said heads. Learned counsel for the Insurance Company has no objection in case appellant is granted aforesaid enhanced amount.

Consequently, appellant is awarded ₹5,000/- towards funeral

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expenses and loss of estate over and above the amount of ₹25,000/- already granted to him by the Tribunal along with interest @ 7.5% per annum from the date of institution of claim petition till realization. Insurance Company is directed to deposit the amount aforesaid within one months from today before the Tribunal for onward disbursement of the same to the appellant in accordance with law against proper receipt and identification.

Disposed of.

(Ramendra Jain)
Judge

May 28, 2018
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No