

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

**FAO No.5738 of 2014(O&M)**

**Date of decision: 12.7.2018**

Kamruddin and another

.....Appellants

VERSUS

Aslam @ Abdul Salam and others

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: None for the appellants.

Mr. Satpal Dhamija, Advocate and  
Mr. R.C. Gupta, Advocate for respondent No.4.

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**REKHA MITTAL, J.**

The unfortunate parents of Mohd. Faisal are in appeal for enhancement of compensation in regard to his death in a motor vehicular accident that took place on 03.08.2010.

The Motor Accidents Claims Tribunal, Nuh (in short 'the Tribunal') has awarded compensation of Rs.2,50,000/- on the basis of assessment of notional income of the deceased at Rs.15,000/- per annum and applied a multiplier of 15 to compute loss of dependency. In addition, an amount of Rs.25,000/- has been awarded qua expenses on transportation and last rites.

Counsel for the insurance company has supported assessment of compensation by relying upon judgment of Hon'ble the Supreme Court

**Reshma Kumari and others Vs. Madan Mohan and another, 2013**

**ACJ 1253** wherein the Court in sub para (ii) of para 40 while summing up conclusions has held, reads thus:-

“In cases where the age of the deceased is upto 15 years, irrespective of the Section 166 or Section 163A under which the claim for compensation has been made, multiplier of 15 and the assessment as indicated in the Second Schedule subject to correction as pointed out in Column (6) of the table in Smt. Sarla Verma and others versus Delhi Transport Corporation and another, 2009 (3) RCR (Civil) 77 should be followed.”

There is no representation on behalf of claimants earlier being represented by a counsel.

In view of the above, there is no justification for enhancement of compensation allowed by the Tribunal.

For the foregoing reasons, the appeal fails and is accordingly dismissed. No order as to costs.

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|---------------------------|---|-----------------------|
| <b>JULY 12, 2018</b>      |   | <b>(REKHA MITTAL)</b> |
| ‘D. Gulati’               |   | <b>JUDGE</b>          |
| Whether speaking/reasoned | : | yes/no                |
| Whether reportable        | : | yes/no                |