

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

Sr. No.101

FAO No.4369 of 2015
Date of decision: 01.08.2018

Sunita and others

....Appellants

versus

Bindu Kumar Patel and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. Parveen Dutt, Advocate for
Mr. Sanjeev Kumar Panwar, Advocate
for the appellant.

Mr. Shivam Narang, Advocate for
Mr. Rajesh Bansal, Advocate
for respondent No.1.

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DEEPAK SIBAL, J. (Oral)

Through the present appeal, the appellants/claimants seek enhancement in the compensation awarded by the Motor Accident Claims Tribunal, Palwal (for short – 'the Tribunal').

The only issue raised by learned counsel for the appellants is that under the heads - 'loss of consortium', 'funeral expenses' and 'loss of estate', cumulatively a sum of ₹ 35,000/- has been granted to the appellants whereas as per the judgment of the Constitution Bench of the Hon'ble Apex Court in **National Insurance Company Limited vs. Pranay Sethi – (2017) 16 SCC 680**, under these heads, the appellants are entitled to ₹ 70,000/-.

Learned counsel for the respondent-Insurance Company fairly admits to the above submission.

In view of the above, the compensation awarded by the Tribunal through the impugned award under the heads - 'loss of consortium', 'funeral expenses' and 'loss of estate', is enhanced to ₹ 70,000/-. On the enhanced amount, the appellants are also held entitled to interest at the rate of 6% per annum from the date of filing of the claim petition by them before the Tribunal till the date of its realization.

No other point was argued.

The impugned award is modified in the above terms.

No costs.

(DEEPAK SIBAL)
JUDGE

August 01, 2018

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No