

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

**FAO-4530 of 2015(O&M)
Date of Decision: March 08, 2018.**

Satish Kumari and others

.....APPELLANT(s).

VERSUS

Dharambir and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Arun Luthra, Advocate
for the appellants (s).

SURINDER GUPTA, J.

Heard.

Notice of motion.

As per the award, the Insurance Company has to pay the entire amount of compensation, as such, service of respondents No. 1 and 2 is dispensed with at this stage.

Mr. Punit Jain, Advocate, who is present in the Court accepts notice on behalf of respondent No. 3 and filed memo of appearance.

Learned counsel for the appellants submits that the appellants/claimants be allowed enhanced compensation as per the law settled by Hon'ble Apex Court in the case of ***National Insurance Company Limited Vs. Pranay Sethi and others, 2017 (4) R.C.R.(Civil) 1009.***

Both the counsel have made a calculation in this case, as per the law settled by Hon'ble Apex Court in the case of ***National Insurance Company Limited Vs. Pranay Sethi and others*** (supra). By awarding 10%

addition in the income of the deceased, who was 51 years of age towards his future prospects and granting of compensation under conventional heads @ ₹70,000/-, the compensation of ₹70,450/- is to be enhanced.

Learned counsel for the Insurance Company thoroughly checked this calculation and he has no objection if enhanced amount of compensation is allowed. Accordingly, this appeal is allowed and the compensation awarded to the claimants/appellants is enhanced by ₹70,450/- over and above the amount of compensation already awarded by the Tribunal. The appellants/claimants shall also be entitled to interest @ 7% from the date of filing of the appeal.

March 08, 2018.
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No