

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

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FAO-5442-2015 (O&M)  
Date of decision: 08.05.2018

KARAN SINGH AND OTHERS

... Appellants

Versus

SURESH KUMAR AND OTHERS

... Respondents

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

Present : Mr. Pankaj Middha, Advocate for the appellants.

Mr. R.K. Bashamboo, Advocate for respondent No.4.

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**REKHA MITTAL, J. (Oral)**

The claimants are in appeal seeking enhancement of compensation on account of death of Manish Kumar in a motor vehicular accident that took place on 12.02.2014.

The Tribunal has awarded compensation of Rs.8,96,000/-, detailed hereunder:-

|                                    |               |
|------------------------------------|---------------|
| 1. Monthly income of the deceased  | Rs.8000/-     |
| 2. Multiplier                      | 17            |
| 3. Deduction for personal expenses | 50%           |
| 4. Loss of dependency              | Rs.8,16,000/- |
| 5. Expenses on funeral             | Rs.25,000/-   |
| 6. Loss of estate                  | Rs.5000/-     |
| 7. Loss of love and affection      | Rs.50,000/-   |

Counsel for the claimants press for enhancement of compensation primarily on two counts i.e entitlement to benefit of future prospects and multiplier to the tune of 18 in place of 17 as the deceased was 21 years old.

Counsel for the insurance company has supported assessment made by the Tribunal.

Claimants shall be entitled to benefit of future prospects @40% and multiplier of 18 in the light of latest judgment of Hon'ble the Supreme Court **National Insurance Company Limited Vs. Pranay Sethi and Ors., 2017 SCC 1270**. In this manner, loss of dependency comes to Rs.12,09,600/- (Rs.8000 x 12 x 18) + (40% future prospects) – (50% deduction for personal expenses).

Under conventional heads, claimants shall be entitled to Rs.30,000/- i.e. Rs.15,000/- for funeral expenses and Rs.15,000/- for loss to estate.

Total compensation is Rs.12,39,600/- and the additional amount is Rs.3,43,600/- (12,39,600 – 8,96,000), payable with interest @ 7.5% per annum from the date of petition till realization to mother of the deceased.

The appeal is partly allowed in the aforesaid terms.

**(REKHA MITTAL )  
JUDGE**

08.05.2018  
ashok

Whether speaking/reasoned:  
Whether reportable:

Yes / No  
Yes / No