

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

FAO No. 6026 of 2016(O&M)

Date of decision: 4.12.2018

SoniaAppellant

VERSUS

Diwan Ram and othersRespondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Wazir Singh, Advocate for the appellant.

REKHA MITTAL, J. (Oral)

The claimant is in appeal seeking enhancement of compensation assessed by the Motor Accidents Claims Tribunal, Karnal (in short 'the Tribunal') on account of death of Parveen Kumar in a motor vehicular accident that took place on 06.09.2015.

The Tribunal has awarded compensation of Rs.17,42,000/-, detailed hereunder:-

Monthly income of the deceased	Rs.8000/-
Addition in income for future prospects	50%
Deduction for personal expenses	1/3 rd
Multiplier	17
Loss of dependency	Rs.16,32,000/-
Loss of estate and funeral expenses	Rs.10000/-
Loss of consortium	Rs.1,00,000/-

The minimum wage at the relevant time was less than

Rs.8000/- per month. Addition in income has been allowed at the rate of

50% as against 40% admissible in the light of judgment of Hon'ble the Supreme Court **National Insurance Company Ltd. Vs. Pranay Sethi and others, 2017 SCC 1270.** Even compensation allowed under conventional heads is more than what can be allowed in the light of judgments in **Pranay Sethi and others case** (supra) and **Magma General Insurance Co. Ltd. Vs. Nanu Ram @ Chuhru Ram and others, 2018(4) RCR (Civil) 333.** In the given scenario, there is no justification for allowing compensation over and above what has been allowed by the Tribunal.

For the foregoing reasons, finding no merit, the appeal fails and is accordingly dismissed in limine.

DECEMBER 4, 2018

'D. Gulati'

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no