

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

239

FAO-6045-2016 (O&M)

Date of decision: 23.10.2018

MUKESH AND ORS

... Appellants

Versus

ASHOK KUMAR AND ANR

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : None.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Surinder @ Salinder in a motor vehicular accident that took place on 25.10.2015.

The Tribunal has awarded compensation of Rs.4,44,500/-, detailed hereunder:-

1. Monthly income of the deceased	Rs.3200/-
2. Multiplier	17
3. Deduction for personal expenses	1/3 rd
4. Loss of dependency	Rs.4,35,336/-
5. Expenses on funeral	Rs.2000/-
6. Loss to estate	Rs.2500/-
7. Loss of consortium	Rs.5000/-

The application for compensation has been filed under Section 163-A of the Motor Vehicles Act, 1988 wherein compensation is to be assessed on the basis of structured formula laid down in Schedule-II appended thereto. Perusal of the award passed by the Tribunal would reveal that compensation has been assessed in complete consonance with the structured formula, therefore, there is no justification for allowing compensation over and above what has been assessed by the Tribunal.

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

23.10.2018

**(REKHA MITTAL)
JUDGE**

ashok

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No