

FAO No.7184 of 2015

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

Date of decision: 01.05.2018

1. FAO No.7184 of 2015

Bobbi Devi

.....Appellant

versus

Vishvendra Singh and others

.....Respondents

2. FAO No.7093 of 2016

Sona Devi and another

.....Appellants

versus

Vishvendra Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. R.K. Saini, Advocate, for the appellant
in FAO No.7184 of 2015.
Mr. Jainainder Saini, Advocate, for the appellants
in FAO No.7093 of 2016.
Mr. Navin Kapur, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

Above titled two appeals filed by the claimants are being disposed of by this common judgment. Through these appeals prayer has been made for enhancement of amount of compensation awarded to appellant-claimants by the Motor Accident Claims Tribunal, Hisar (hereinafter referred to as the 'Tribunal'), vide award dated 07.08.2015.

Both the parties are *ad idem* that these appeals have to be decided in accordance with the judgment of the Hon'ble Supreme Court in ***National Insurance Company Limited v. Pranay Sethi and others, 2017***

(4) R.C.R.(Civil) 1009.

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parties have produced the joint calculation sheet in accordance with ***Pranay Sethi's*** case (supra) in Court. The same is taken on record as Mark 'A'. Learned counsel for the Insurance Company has not been able to controvert the calculations.

According to it, total compensation payable to the appellant-claimants comes to ₹16,96,016/-. The Tribunal has already awarded ₹13,76,372/-. Thus, the appellants are held entitled to enhanced compensation of ₹3,19,644/- over and above the compensation already awarded by the Tribunal.

Consequently, appellant-claimants are awarded enhanced compensation of ₹3,19,644/- over and above the amount of compensation already granted to them by the Tribunal along with interest @ 7% per annum from the date of institution of claim petition till realization. Respondent No.3 – Insurance Company is directed to deposit the amount aforesaid within two months from today before the Tribunal for onward disbursement of the same to the appellant-claimants in proportion so arrived at by the Tribunal in accordance with law against proper receipt and identification.

Disposed of.

(Ramendra Jain)
Judge

May 01, 2018
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No