

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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FAO-6245-2016 (O&M)
Date of Decision : 20.9.2018

Promila and another

....Appellants

vs.

Ashok and others

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Manoj Makkar, Advocate
for the appellants.

Mr. Vinod Kanwal, Advocate for
Mr. Ashit Malik, Advocate
for respondents No.1 and 2.

Mr. Pankaj Mehta, Advocate
for respondents No.3 and 4.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the award dated 18.8.2015 passed by Motor Accident Claims Tribunal, Rohtak awarding compensation of Rs. 3,50,000/- alongwith interest at the rate of 8% per annum on account of death of Romit a 13 years old boy in an accident.

Since a very limited issue has been raised, detailed reference to the facts would not be necessary.

The Tribunal awarded a total sum of Rs.3,50,000/- as compensation. Counsel for the appellants has argued that the compensation awarded by the Tribunal is highly inadequate.

Learned counsel for the appellants relied upon the judgment of

the Supreme Court in the matter of *Krishan Gopal and another Vs. Lala and others, 2013(4) RCR (Civil) 276* where a compensation of Rs. 5 lakhs was granted on the death of a ten years old child. Counsel for the insurance company is not in a position to cite any contrary judgment. Consequently, I award Rs. 5 lakhs in the present case also.

Counsel for the appellant has further pointed out that in the latest judgment of “*Magma General Insurance Company Limited vs. Nanu Ram Alias Chuhru Ram and others*” in *Civil Appeal No. 9581 of 2018* decided on 18.9.2018, the Supreme Court has awarded interest at the rate of 12% per annum on the entire compensation. In view of this judgment, I also award 12% interest per annum on the entire compensation from the date of filing of the claim petition till the date of payment.

The Appeal stands allowed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

20.9.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No