

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 206

FAO-9388-2014

Date of decision : 15.11.2018

Baljit Kaur and others

..... Appellants

VERSUS

Jagsir Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Gopal Sharma, Advocate, for the appellants.

Mr. Rajneesh Malhotra, Advocate, for respondent No. 3.

DEEPAK SIBAL, J. (ORAL)

The present appeal preferred by the claimants is directed against the award dated 12.03.2014, passed by the Motor Accident Claims Tribunal, Fatehgarh Sahib (for short, the Tribunal).

Learned counsel for the appellants submits that in view of a recent pronouncement of the Hon'ble Supreme Court in "*National Insurance Company Limited vs. Pranay Sethi and others*" (2017) 16 SCC 680, since the deceased was 39 years of age, the appellants/claimants are entitled to compensation after adding 40% "future prospects" to the assessed income of the deceased which has wrongly not been granted by the Tribunal.

Learned counsel for respondent No. 3-Insurance Company very fairly admits to the afore claim made by learned counsel for the appellants.

In view of the law laid down by the Hon'ble Supreme Court in *Pranay Sethi's* case (supra) as also the admission made by learned counsel for respondent No. 3-Insurance Company, the impugned award is modified to the extent that in addition to the compensation granted to the appellants in the aforesaid award, they are held entitled to compensation after adding

“future prospects” to the assessed income of the deceased @ 40%.

On the enhanced amount, the appellants are also held entitled to interest @ 6.5% per annum from the date of filing of the claim petition till its realization.

No other point was urged.

The present appeal is allowed in the above terms.

15.11.2018
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes	/	No
Whether reportable	:	Yes	/	No