

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

FAO No.7935 of 2015 (O&M)
Date of decision: 16.05.2018

Beena and another

.... Appellants

Versus

Rinku @ Vicky and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Subhash, Advocate for
Mr. S.K.Panwar, Advocate
for the appellants.

Avneesh Jhingan, J.

The present appeal has been filed against award dated 01.08.2015 passed by Motor Accidents Claims Tribunal, Palwal (hereinafter referred to as 'the Tribunal').

On a fateful day i.e. 31.08.2014, Manmit along with Rinku, Manish and Mohit was going to village Bela from village Raidaska to leave his friends in a car bearing registration No.HR-30L-5488. The said car was being driven by Rinku. When they reached ahead of village Deeghot, suddenly a "Neel Gai" came from the fields and stood in front of the car, brakes were applied but car got imbalanced and struck against a tree. Manmit sustained multiple injuries including the head injury. He was taken to Om Spero Hospital where he was declared dead. DDR No.7 dated 31.08.2014 was registered at Police Station Sadar Palwal.

The mother of the deceased filed a claim petition under Section 163-A of the Motor Vehicles Act, 1988 (for short, 'the Act').

The Tribunal assessed the monthly income of the deceased as Rs.3300/-. 1/3rd deduction for self expenses was made. The age of the deceased was taken as 16 years and hence, multiplier of 16 was applied. The Tribunal awarded a sum of Rs.4,31,900/- along with interest @ 7.5% per annum.

The present appeal has been filed for enhancement of compensation.

Learned counsel for the appellants argued that multiplier of 18 should have been applied and the amounts awarded for loss of estate and funeral expenses are very meager.

From the perusal of the paper-book and award, it is evident that compensation has been calculated in accordance with IInd Schedule of the Act, there is no scope for enhancement.

The appeal is hereby dismissed.

(AVNEESH JHINGAN)
JUDGE

16.05.2018
anju

1. Whether the order is speaking/reasoned:	Yes/No
2. Whether the order is reportable :	Yes/No