

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

FAO No. 8399 of 2015(O&M)

Date of Decision: October 11 , 2018.

Harjit Kaur and another

..... APPELLANT (s)

Versus

Sukhdev Singh and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Rajbir Singh, Advocate
for the appellants.

Mr. Sachin Ohri, Advocate
for respondent No.3.

LISA GILL, J.

This is an appeal preferred by the claimants seeking enhancement of compensation awarded to appellant No.1 by the learned Motor Accident Claims Tribunal, Sangrur (for short, the 'Tribunal') vide impugned award dated 2.7.2015 on account of death of Chamkaur Singh in a motor vehicle accident which took place on 26.03.2015. A petition under Section 166 of the Motor Vehicles Act, 1988 was filed by the appellants claiming compensation of ₹10,00,000/-.

The learned Tribunal on consideration of the facts and evidence on record, awarded a total sum of ₹10,00,000/- as compensation to appellant No.1 vide impugned award. Appellant No.2 was not held entitled to compensation. The deceased was 49-½ years old at the time of the accident. Learned Tribunal has assessed the income of the deceased to be ₹8,710/- per month while including an

increment of 30% on account of future prospects. While calculating the amount of compensation by the learned Tribunal, deduction to the extent of 1/3rd was effected on account of personal expenses and multiplier of 13 was applied. ₹1,00,000/- was awarded on account of loss of consortium to appellant No.1, besides, ₹25,000/- towards funeral expenses.

Learned counsel for the appellants fairly states that in view of the judgment of the Hon'ble Supreme Court in National Insurance Company Limited v. Pranay Sethi and others, 2017(16) SCC 680 and the Magma General Insurance Company Ltd. v. Nanu Ram Alias Chuhru Ram & Ors., in Civil Appeal No.9581 of 2018 decided on 18.09.2018, there is no scope for any further enhancement in the compensation awarded to appellant No.1 by the learned Tribunal.

No interference is called for in impugned award dated 02.07.2015 passed by learned Motor Accident Claims Tribunal, Sangrur at the instance of the appellants.

Consequently, this appeal is dismissed with no order as to cost.

October 11, 2018.
'om'

(LISA GILL)
JUDGE

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