

**FAO No. 7576 of 2016(O&M)**

**Date of Decision: 21.9.2018**

**Krishan Devi and another**

**---Appellants**

**versus**

**Pardeep Kumar and others**

**---Respondents**

**Coram: Hon'ble Mrs. Justice Rekha Mittal**

**Present: Mr. Sansar Kundu, Advocate  
for the appellants**

**\*\*\***

**Rekha Mittal, J.**

The claimants are in appeal seeking enhancement of compensation on account of death of Narvir in a motor vehicular accident that took place on 21.8.2015. The application for compensation has been filed under Section 163-A of the Motor Vehicles Act, 1988 (in short “the Act”).

The Motor Accidents Claims Tribunal, Jind has awarded compensation in complete conformity with the structured formula laid down in 2<sup>nd</sup> Schedule appended to Section 163-A of the Act. Counsel for the appellant would pray that compensation allowed under conventional heads to the tune of Rs. 4500/- i.e. Rs. 2000/- for funeral expenses and Rs. 2500/- qua loss of estate may be enhanced in the light of judgment of Hon'ble the Supreme Court **National Insurance Company Limited vs. Pranay Sethi and others 2017 SCC 1270.**

As the application for compensation has been filed under

Section 163-A of the Act, claim for compensation is to be examined in the light of relevant provisions of the Act. That being so, no error much less illegality can be noticed in the award, warranting intervention.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine. No order as to costs.

**(Rekha Mittal)**  
**Judge**

**21.9.2018**

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No