IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.7698 of 2016 (O&M)
Date of decision: 08.08.2018

Gurdeep Singh and another ... Appellants

Versus

Surjit Singh and others ... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Sanjeev Goyal, Advocate and
Mr. Rajbir Singh, Advocate for the appellants.

Mr. Gopal Mittal, Advocate for the insurance company.

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REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Manjeet Kaur in a motor vehicular accident that took place on 22.07.2015.

The Tribunal has awarded compensation of Rs.3,64,000/-, detailed hereunder:-

1. Monthly income of the deceased	Rs.4500/-
2. Multiplier	9
3. Deduction for personal expenses	$1/3^{rd}$
4. Loss of dependency	Rs.3,24,000/-
6. Expenses on funeral	Rs.25,000/-
7. Loss of estate	Rs.5000/-
8. Loss of love and affection	Rs.10,000/-

Counsel for the claimants would urge that value of services of the deceased assessed by the Tribunal is on lower side and needs enhancement.

Counsel representing the insurance company has supported assessment made by the Tribunal.

The Tribunal has assessed value of services of the deceased at Rs.4500/- per month. Taking a clue from minimum wage available at the relevant time coupled with that a household lady has multifarious duties to perform, value of services of the deceased is assessed at Rs.7000/- per month. The multiplier adopted by the Tribunal is affirmed. There would be no deduction for personal expenses in the light of Division Bench judgment of this Court **Paramjit Singh and another Vs. Dilbagh Singh @ Bagga and others, 2013(3) Law Herald 2730**. In this manner, loss of dependency is calculated at Rs.7,56,000/- (Rs.7000 x 12 x 9).

Compensation awarded by the Tribunal under conventional heads is modified to the effect that claimants shall be entitled to Rs.15,000/- for expenses on funeral.

Total compensation is Rs.7,71,000/- and the additional amount is Rs.4,07,000/- (7,71,000 – 3,64,000), payable with interest @7.5% per annum from the date of petition till realization, in terms of award passed by the Tribunal.

Disposed of, accordingly.

08.08.2018 **(REKHA MITTAL)**
ashok **JUDGE**

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