

FAO No.7700 of 2016 (O&M)
Date of decision: 08.08.2018

... Appellants

... Respondents

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

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

1. Monthly income of the deceased	Rs.4500/-
2. Multiplier	9
3. Deduction for personal expenses	1/4 th
4. Loss of dependency	Rs.3,64,500/-
6. Expenses on funeral	Rs.25,000/-
7. Loss of estate	Rs.5000/-
8. Loss of consortium	Rs.1,00,000/-
9. Loss of love and affection	Rs.10,000/-

Ashok Kumar
2018.08.21 11:18
I attest to the authenticity and
accuracy of this document

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.55,000/- i.e. Rs.40,000/- for loss of consortium and Rs.15,000/- for expenses on funeral.

Total compensation is Rs.8,11,000/- and the additional amount is Rs.3,06,500/- (8,11,000 – 5,04,500), 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

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No