

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

245

FAO No.8133 of 2016 (O&M)

Date of Decision : 02.08.2018

Mrs. Sonali Devi and others

..... Appellants

Versus

Naresh Kumar and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: Mr. Rohit Rana, Advocate
for the appellants.

Mr. Man Mohan, Advocate for
Ms. Suman Jain, Advocate
for respondent No.3-Insurance Company.

AJAY TEWARI, J. (Oral)

This is an appeal for enhancement of compensation and for modifying the award dated 24.02.2016 granting compensation of Rs.15,02,000/- and interest @ 7.5 % per annum in favour of the appellants and against the respondents. Since a very limited point has been raised further detailed reference to the facts is not necessary.

Learned counsel for the appellants states that the only short coming in the award is that future prospects have not been awarded in view of the judgment of the Supreme Court in the matter of ***National Insurance Company Ltd. vs. Pranay Sethi and others, 2017(4) RCR (Civil)1009.***

Learned counsel for respondent No.3-Insurance Company has accepted that 40% had to be added on account of future prospects. He

Rs.1,25,000/- has been awarded whereas under the judgment of *Pranay Sethi's case (supra)* only Rs.70,000/- could have been awarded.

Learned counsel for the appellants-claimants is not in a position to deny this. In the circumstances, an amount of Rs.55,000/- had to be reduced under the conventional heads.

Resultantly, the appeal is disposed of in the above terms. The entire enhanced amount will go to appellant No.1.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

02.08.2018
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No