

DIWAKER GULATI
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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of decision: 4.9.2018

1.

FAO No.1031 of 2018(O&M)

Guddi and others

.....Appellants

VERSUS

Joginder Singh and others

.....Respondents

2.

FAO No.1040 of 2018(O&M)

Sarojani

.....Appellant

VERSUS

Joginder Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Wazir Singh, Advocate for the appellant(s).

REKHA MITTAL, J. (Oral)

This order will dispose of FAO Nos.1031 and 1040 of 2018 as these have emerged out of the same award dated 24.05.2017 passed by the Motor Accidents Claims Tribunal, Panipat (in short 'the Tribunal') whereby compensation has been awarded on account of death of Manvinder @ Malvinder in claim application filed by Guddi and others, appellants in FAO No.1031 of 2018 and to Sarojani in regard to death of Vipin in a motor vehicular accident that took place on 24.03.2016.

The sole submission made by counsel for the appellants is that compensation under conventional heads allowed by the Tribunal is on

lower side and needs enhancement in the light of latest judgment of Hon'ble the Supreme Court **National Insurance Company Ltd. Vs. Pranay Sethi and others, 2017 SCC 1270.**

Perusal of the award would reveal that the Tribunal has allowed addition in income for future prospects at the rate of 50% in both the cases. Counsel for the appellants, in response to a query, is not in a position to say that in case the future prospects are reduced to 40% in place of 50% allowed by the Tribunal and conventional heads are allowed in terms of judgment in **Pranay Sethi and others case** (supra), claimants would be entitle to additional compensation. That being so, there is no justification for enhancement of compensation over and above what has been allowed by the Tribunal.

For the foregoing reasons, the appeals fail and are accordingly dismissed in limine. As the appeals have been decided on merits, applications for condonation of delay are of academic relevance only.

SEPTEMBER 4, 2018

'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no