

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
-.-

FAO 3685 of 2017 (O&M)
Date of decision 28.11.2018

Manjeet Kaur and others*Appellants*
Versus
Bansi Lal and others*Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present : Mr. K S Dhanora, Advocate
for the appellants
-.-

Rekha Mittal, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Balwinder Singh in a motor vehicular accident that took place on 24.10.2015.

The Tribunal has awarded compensation of Rs.14,21,160.00, detailed hereunder:-

Monthly income of the deceased	Rs.5,812.00
Addition in income for future prospects	50.00%
Deduction for personal expenses	1/3 rd
Multiplier	15
Loss of dependency	Rs.10,46,160.00
Funeral expenses	Rs.25,000.00
Loss of consortium to widow	Rs.1,00,000.00
Loss of love, affection, care and guidance to claimant No. 2	Rs.1,00,000.00
Loss to estate to claimants No. 1 to 3	Rs.1,00,000.00
Loss of love and affection to mother claimant No. 3	Rs.50,000.00

When the case is examined in the light of latest judgments of Hon'ble the Supreme Court *National Insurance Company Limited v.*

Pranay Sethi and others, 2017 SC 1270 and Magma General Insurance Co. Ltd. vs Nanu Ram Alias Chuhru Ram & Ors. 2018 (4) R.C.R. (Civil) 333, there is no scope for awarding compensation over and above what has been allowed by the Tribunal. That being so, the appeal sans merit and is liable to be dismissed.

For the foregoing reasons, the appeal fails and is accordingly dismissed *in limine*. As the appeal has been decided on merits, application for condonation of delay in filing the appeal is of academic relevance.

No order as to costs.

(Rekha Mittal)
Judge

28.11.2018
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