

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

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FAO-4039-2017 (O&M)  
Date of Decision : 27.7.2018

Kurda Ram and others

....Appellants

vs.

Dalbir Singh and others

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Balraj Gujjar, Advocate for the appellants.

Mr. Sumit Gupta, Advocate for the respondent No.3

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**AJAY TEWARI, J. (Oral)**

This is an appeal for enhancement of compensation and for modifying the award dated 16.10.2015 passed by Motor Accident Claims Tribunal, Bhiwani granting compensation of Rs.1,25,000/- with interest @ 6 % per annum in favour of the appellants and against the respondents. It may be mentioned that the deceased was 59 years old and the claim petition was filed by her 60 years old husband and 35 years old son.

Learned counsel for the appellants has argued that the deceased was a home-maker and was contributing to the family but nothing has been awarded on account of contribution made by the deceased to the family. Counsel for respondent No.3 points out that even though this may be correct yet a sum of Rs.1,25,000/- has been granted to appellant No.1 under the conventional heads which is excessive 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*.

I find this to be indeed so. In the totality of circumstances, I

deem it appropriate to award Rs. 75,000/- more to the appellants. Ordered accordingly.

Counsel for the appellants further states that interest rate @ 6% which is very low.

I deem it appropriate to award interest @ 7.5% on the entire compensation of amount from the date of filing of the claim petition till the date of payment. Ordered accordingly. The apportionment and management would be same as ordered by the Tribunal.

The appeal stands disposed of with the above said modifications.

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

**27.7.2018**  
**anuradha**

**(AJAY TEWARI)**  
**JUDGE**

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | - | Yes/No |
| Whether reportable        | - | Yes/No |