

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

FAO No. 6718 of 2017 (O&M)

Date of Decision: September 19 , 2018.

Anju @ Reeta and another

..... APPELLANT (s)

Versus

Mohinder Singh and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: None.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This appeal has been filed by the claimants/appellants seeking enhancement of the compensation awarded to them by the Motor Accident Claims Tribunal, Sirsa (hereinafter referred to as, the 'Tribunal') vide impugned award dated 15.10.2016.

The claimants filed a petition under Section 166 of the Motor Vehicles Act before the learned Tribunal seeking compensation on account of the death of Chandan Mandal, who lost his life in a motor vehicle accident which took place on 06.12.2014. FIR No.168 dated 06.12.2014 under Sections 279/304A IPC was registered at Police Station City Sirsa against respondent

No.1-Mohinder Singh on the statement of Rakesh mandal, brother of the deceased. The learned Tribunal on consideration of the facts and evidence on record held that the accident in question took place due to the rash and negligent driving of truck bearing registration No.PB-03AA-9831 by respondent No.1 – Mohinder Singh. The said finding of the learned Tribunal has attained finality.

The learned Tribunal awarded a sum of ₹13,05,000/- as compensation to the appellants-claimants vide impugned award. The deceased was aged 23 years at the time of the accident and his income was assessed as ₹5,000/- per month being an unskilled labourer. Future prospects at the rate of 50% were afforded. Deduction to the extent of 1/3rd on account of personal expenses was effected and multiplier of 18 was applied. ₹25,000/- towards transportation and funeral expenses were awarded. ₹1,00,000/- each on account of loss of consortium to claimant-wife as well as love & affection were awarded.

It appears that there is not much scope for enhancement in the compensation awarded to the claimants/appellants. There was no representation on behalf of the claimants/appellants on the last date of hearing. Today again, none appears on behalf of the appellants. It appears that the appellants are not interested in pursuing the matter any longer.

Dismissed in default.

September 19, 2018.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No