

FAO No. 6968 of 2017(O&M)  
Date of Decision: 5.10.2018

Mukesh and others

---Appellants

versus

Satender and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Pawan Attri, Advocate  
for the appellants

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Rekha Mittal, J.

The claimants are in appeal seeking enhancement of compensation on account of death of Sanjeep in a motor vehicular accident that took place on 21.10.2015.

The Motor Accidents Claims Tribunal, Jind (in short “the Tribunal”) has awarded compensation of Rs.4,58,300/-, detailed hereunder:-

|                                 |                   |
|---------------------------------|-------------------|
| Monthly income of the deceased  | Rs. 3300/-        |
| Deduction for personal expenses | 1/3 <sup>rd</sup> |
| Multiplier                      | 17                |
| Loss of dependency              | Rs. 4,48,800/-    |
| Loss of consortium              | Rs. 5,000/-       |
| Funeral expenses                | Rs. 2000/-        |
| Loss of estate                  | Rs. 2500/-        |

Perusal of the award would reveal that application for compensation was filed by the widow, children and parents of deceased Sanjeep under Section 163-A of the Motor Vehicles Act, 1988 (in short “the

Act”). Compensation under Section 163-A of the Act is required to be assessed on the basis of structured formula laid down in 2<sup>nd</sup> Schedule appended thereto.

Perusal of the award passed by the Tribunal particularly findings recorded in para 19 thereof leaves no manner of doubt that the Tribunal has assessed compensation strictly in accordance with the structured formula. As such, there is no scope for enhancement of compensation over and above what has been allowed by the Tribunal.

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 is of academic relevance only.

**(Rekha Mittal)**  
**Judge**

**5.10.2018**

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No