

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

FAO No. 713 of 2017 (O&M)

Date of decision : July 10, 2018

Sonia and another

.....Appellants

Versus

Rajender Singh and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Rakesh Lathwal, Advocate
for the appellants.

LISA GILL, J.

The claimants filed petition under Section 166 of the Motor Vehicles Act seeking compensation on account of death of Neeraj Rathee in a motor vehicle accident which took place on 21.10.2015 caused due to rash and negligent driving of the offending vehicle driven by respondent No.1. The claimants are the widow, minor child and parents of the deceased.

The deceased was thirty years old at the time of the accident. He was working as Web Developer with one Techtronics Education India Limited. Income of the deceased was assessed as ₹27,072/- per month on the basis of salary slip (Exs. P3 and P4). Increase of ₹5,070/- was afforded on account of future prospects.

Learned Motor Accident Claims Tribunal, Rohtak (hereinafter referred to as the 'Tribunal') afforded compensation to the appellants as under:-

Income	Rs. 27,072/- per month
Add 50% of increase on account of future prospects	(Rs.27,072+13,536)=Rs.40,608/-
Deduction 1/4 th as number of dependants are four	Rs. 30,456/-
Multiplier (annualized)	Seventeen (17)
Multiplier	Rs.30,456/-x12 x17 = Rs.62,13,024/-
Loss of dependency	Rs.62,13,024/-
Medical expenses	Nil
Loss of consortium to spouse	Rs.1,00,000/-
Loss of love and affection for widow, son and parents of deceased	Rs.4,00,000/-
Loss of estate	---
Funeral expenses	Rs. 25,000/-
Total	Rs, 67,38,024/-

Present appeal has been filed for enhancement of compensation awarded by the learned Tribunal to the claimants-appellants on account of death of Neeraj Rathee which took place on 21.10.2015.

In view of the guidelines laid down by the Hon'ble Supreme Court in National Insurance Company Limited versus Pranay Sethi and others 2017 (4) RCR (Civil) 1009, learned counsel for the appellant is unable to point out anything on record, which calls for any further enhancement in the compensation already afforded to the claimants-appellants.

Accordingly, the present appeal being devoid of merit is dismissed with no order as to cost.

July 10, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :
Whether reportable

:
:

Yes/No
Yes/No