

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

FAO No. 8035 of 2017

Date of decision : November 20, 2018

Surjit Singh and others

..... Appellants

v.

Tilak Raj and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Parvez Chugh, Advocate
for the appellants.

Mrs. Vandana Malhotra, Advocate
for respondent No.3.

Ajay Tewari, J (Oral)

This appeal has been filed for enhancement of compensation on account of death of Paramjit Singh in a motor vehicular accident which took place on 7.4.2015. Since the issue involved is of quantum, further reference to the detailed facts would not be necessary.

Counsel for the appellants has argued that the Tribunal erred in not granting any future prospects. As per him, in view of the judgment of the Supreme Court in National Insurance Company Limited vs Pranay Sethi and others, 2017(4) RCR (Civil) 1009, 40% had to be awarded on account of future prospects. Counsel for the Insurance Company is not in a position to deny this. Consequently, I direct that future prospects of 40% be granted in this case.

Counsel for the appellants has further argued that under the

conventional heads, only a sum of ₹ 25,000/- has been awarded and another amount of ₹ 45,000/- has to be awarded. I find this to be correct and award so.

Counsel for the appellants has further argued that the Tribunal has erred in awarding split rate of interest. I find this to be correct and direct that the entire compensation would carry rate of interest of 12% pa from the date of filing the claim petition till the date of payment. The remaining Award shall remain unchanged. This appeal stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

November 20, 2018
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No