

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

258

FAO-8329-2017 (O&M)  
Date of decision: 13.09.2018

SARIFAN AND ANR.

... Appellants

Versus

MUSTAQ AND ANR.

... Respondents

**CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL**

Present : Mr. Barjinder Singh, Advocate for the appellants.

Mr. Rajnish Malhotra, Advocate for the insurance company.

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**REKHA MITTAL, J. (Oral)**

The claimants are in appeal seeking enhancement of compensation on account of death of Bashru in a motor vehicular accident that took place on 26.06.2014.

The Tribunal has awarded compensation of Rs.9,24,200/-, detailed hereunder:-

|                                                         |               |
|---------------------------------------------------------|---------------|
| 1. Monthly income of the deceased                       | Rs.7400/-     |
| 2. Multiplier                                           | 18            |
| 3. Deduction for personal expenses                      | 50%           |
| 4. Loss of dependency                                   | Rs.7,99,200/- |
| 5. Transportation and funeral expenses                  | Rs.25,000/-   |
| 6. Loss of love and affection, care of mother and widow | Rs.1,00,000/- |

Claimants shall be entitled to benefit of addition in income for future prospects @ 40%. Income of the deceased, multiplier and deduction for personal expenses allowed by the Tribunal are correct and affirmed. In this manner, loss of dependency is calculated at Rs.11,18,880/- [(Rs.7400 x 12 x 18) + (40% future prospects) – (50% deduction for personal expenses)].

Under conventional heads, compensation awarded by the Tribunal is modified to the effect that claimants shall be entitled to Rs.30,000/- i.e. Rs.15,000/- for funeral expenses and Rs.15,000/- loss of

estate.

Total compensation is Rs.11,48,880/- and the additional amount is Rs.2,24,680/- (11,48,880 - 9,24,200), payable with interest @7.5% per annum from the date of petition till realization, to mother of the deceased. All other terms and conditions of the award shall remain intact.

The appeal is partly allowed in the aforesaid terms.

13.09.2018

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**(REKHA MITTAL)**  
**JUDGE**

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No