

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

134

RA-220-CII-2017 in
FAO-7519-2014 (O & M)
Date of Decision:22.05.2018

Paramjeet Kaur @ Paramjit Kaur and others ...Appellants

Versus

Sukhwinder Singh @ Shinda and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Satpal Singh, Advocate
for the applicants/appellants.

Mr. Rakesh Kumar, Advocate
for respondent Nos.1 and 2.

ANIL KSHETARPAL, J.(Oral)

This review application has been filed pointing out two errors in the judgment (i) increase in the income of account of future prospects as discussed at page 2 of the judgment has not been taken into consideration while calculating the enhanced amount; (ii) learned Motor Accident Claims Tribunal did not grant interest while awarding compensation as the learned Motor Accident Claims Tribunal ordered that if the amount of compensation is paid within a period of 2 ½ months no interest shall be payable.

Learned counsel for the respondent-Insurance Company admits that enhancement on account of future prospects has inadvertently been left out. However, submits that the compensation must have been paid along with the interest.

In view of the aforesaid, the judgment dated 09.11.2011 is

modified and the amount enhanced is revised by adding 25% on account of future prospects. It is further ordered that claimant shall be entitled to interest @ 6% per annum from the date of filing of the claim petition till its payment as per the award passed by the learned Motor Accident Claims Tribunal and would also be entitled to interest from the date of filing of the claim petition till realization of the enhanced amount.

Needless to say that the amount of interest already paid shall be liable to be adjusted.

Review application is disposed of.

22.05.2018
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No