

FAO No.1185 of 2019

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

FAO No.1185 of 2019
Date of decision: 29.11.2019

Bimla Rani and another

.....Appellants

versus

Arun Mehta @ Arun Kumar and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mrs. G.K. Turka, Advocate, for the appellants.
Mr. Vinod Gupta, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

Through instant appeal, appellants-claimants have sought enhancement of compensation, modifying impugned award dated 12.10.2018 of the Motor Accident Claims Tribunal, Patiala.

Learned counsel for respondent No.3 – Insurance Company submits that appellant-claimants have already been adequately compensated by the Tribunal. Thus, in view of dictum of the Hon'ble Supreme Court in *National Insurance Company Limited v. Pranay Sethi and others, 2017 (4) R.C.R.(Civil) 1009*, there is no scope of enhancement of compensation.

Learned counsel for the appellants submits that claimant-appellants, being parents of the deceased, are entitled to consortium in view of judgment in *Magma General Insurance Co. Ltd. v. Nanu Ram alias Chuhru Ram and others, 2018(4) R.C.R.(Civil) 333*.

In view of the fact that judgment in *Pranay Sethi's* case (supra) has been rendered by a five Judge Bench of the Hon'ble Supreme, therefore,

FAO No.1185 of 2019

Magma's case (supra) wherein consortium has been awarded, cannot be given effect. Hence, there is no scope of enhancement of compensation modifying the impugned award.

Dismissed.

(Ramendra Jain)
Judge

November 29, 2019
R.S.

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No