

**CM-19275-CII-2016 in/and
FAO-2363-2000**

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

**CM-19275-CII-2016 in/and
FAO-2363-2000**

Date of Decision: September 06, 2019

Harbans Lal Bains and others

.....Appellants

Versus

Kulbir Singh and others

.....Respondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Ms.Jasmeet Mehra, Advocate
for the appellants.

Mr.Sanjiv Pabbi, Advocate
for respondent No.3-Insurance Company.

.....

NIRMALJIT KAUR, J. (ORAL)

CM-19275-CII-2016

For the reasons mentioned in the application for early hearing,
the same is allowed and the main case is taken up today itself.

FAO-2363-2000

Learned counsel for the appellants, while praying for
enhancement, submitted that the appellant-claimants were entitled to the
enhancement under the head 'Future Prospects' to the extent of 15% and the
multiplier of 11 should have been applied instead of 7. Similarly, they are
also entitled to ₹70,000.00 under the 'Conventional Head', whereas only
₹5,000.00 has been granted for funeral expenses. Learned counsel for the
respondent-Insurance Company has not been able to dispute the same in

Apex Court in National Insurance Company Limited vs Pranay Sethi and others, 2017(16) SCC 680.

In view of the above, the following amount is calculated as per the calculations provided hereunder:

Head	Amount
Monthly Income	₹2500.00
Future prospects @ 15%	₹375.00
Total Monthly income	₹2875.00
Annual dependency	₹34,500.00 (₹2875.00 x 12)
Multiplier	11
Loss of dependency	₹3,79,500.00 (₹34,500.00 x 11)
Conventional heads	₹70,000.00
Total compensation	₹4,49,500.00
Amount already granted	₹2,15,000.00
Enhancement of compensation (Difference)	₹2,34,500.00(₹4,49,500.00- ₹2,15,000.00)

The enhanced amount of ₹2,34,500.00, as per the above calculation, be paid to the appellant-claimants alongwith interest @ 6% per annum from the date of filing of the claim petition in the same terms as held by the Tribunal within two months from the date of receipt of a certified copy of this order. In case the said amount is not deposited within two months from the date of receipt of a copy of this order, the same shall be deposited alongwith interest @ 12% from the expiry of the said two months.

Disposed of accordingly.

September 06, 2019
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(NIRMALJIT KAUR)
JUDGE

1. Whether speaking/reasoned ?

Yes/No
2. Whether reportable ?

Yes/No