

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-3799-2002 (O&M)
Date of decision : 9.5.2019

Rawat Katariya and anotherAppellants.

Versus

Jai Singh and others Respondents.

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Munfaid Khan, Advocate for appellants.

Mr. S.P. Arora, Advocate for respondent No. 3.

KULDIP SINGH, J.

Impugned in the present appeal is the Award dated 14.2.2002, passed by learned Motor Accident Claims Tribunal, Rohtak, (for short 'the Tribunal') vide which compensation to the tune of Rs. 80,000/- was awarded to the claimants-appellants by the Tribunal along with interest @ 9% per annum from the date of filing of the claim petition till realization on account of death of Renu, aged about 14 years, daughter of the claimants-appellants.

I have heard learned counsel for the parties and have perused the case file carefully.

The brief facts of the case are that on 24.7.2001, Renu aged about 14 years, daughter of the claimants-appellants died in a motor vehicle accident. She was studying in Xth class in Government Girls Senior Secondary School, Model Town, Rohtak. She is stated to be a very good sportsman/athlete.

The Tribunal awarded the compensation to the tune of Rs. 80,000/- to the claimants-appellants.

Learned counsel for the appellants has produced the authority of the Hon'ble Supreme Court contained in 'Kishan Gopal and another vs. Lala and others', 2013 (3) Apex Court Judgments (SC) 244, wherein, in the case of death of a child aged 10 years, compensation to the tune of Rs. 4.50 lacs was awarded.

In the present appeal, Renu-daughter of the claimants-appellants was aged about 14 years at the time of accident and she was the student of Xth class. She was stated to be a good sportsman/athlete and having certificates of Zudo-Karate etc. In this way, she had the bright future and could be helping her parents after completing her studies and even after the marriage.

Considering the entirety of facts and circumstances of the case, appeal is allowed. The impugned award passed by Motor Accident Claims Tribunal, Rohtak on 14.2.2002 is modified and the compensation awarded by the Tribunal is enhanced in lumpsum from 80,000/- to Rs. 5.00 lacs along with interest @ 7% per annum from the date of filing of claim petition till realization on the enhanced compensation.

Appeal stands allowed accordingly.

(KULDIP SINGH)
JUDGE

9.5.2019
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Whether speaking / reasoned
Whether Reportable:

Yes
No