

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

FAO-4942-2005

Date of Decision: 14.10.2019

Geeta and another

... Appellants

Vs.

State of Punjab and others

... Respondents

CORAM : HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Ashwani Arora, Advocate
for the appellants.

Mr. Rajesh Bhardwaj, Sr. D.A.G. Punjab.

NIRMALJIT KAUR, J. (Oral)

The present appeal has been filed for enhancement of compensation against the award dated 02.09.2005 vide which only an amount of Rs.1,50,000/- was awarded in respect of death of a child aged about 2 years.

Learned counsel for the appellants relied on the various decisions rendered by the Apex Court as well as by this Court in the cases of **Chanda (dead) through LRs** v. **Rattni and another**; 2007 (2) R.C.R (Civil) 534; **R.K. Malik and another** v. **Kiran Pal and others**; 2009 (14) SCC 1; **Sushila and another** v. **Sagar and others**; (FAO No.200 of 2012; decided on 08.05.2014) and **Sohan Lal (deceased) through LRs Renu Verma and others** v. **Surinder Pal Soni and others**; (CR No.3372 of 2015; decided on 1.6.2018 to contend that a compensation of Rs.3,50,000/- should be awarded to the claimants in case of death of a child below 5 years.

After hearing learned counsel for the appellants, this Court finds no reason as to why law laid down by the Apex Court as also by this Court should not be followed in the present facts and circumstances. Hence, it is deemed it proper to enhance the amount from Rs.1,50,000/- to

Rs.3,50,000/-.

Accordingly, the present appeal is allowed to the said extent. The enhanced amount of Rs.2,50,000/- be deposited within two months from the receipt of certified copy of this order alongwith 6% interest from the date of the claim petition till its realization.

However, in case the same is not deposited within two months, the same shall thereafter be deposited alongwith interest @ 12% till payment after the expiry of two months.

14.10.2019
rajeev

(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No