

FAO No.1207 of 2005

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

FAO No.1207 of 2005
Date of decision: 25.09.2019

Dharam Pal

.....Appellant

versus

Sukhbir Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Jagjit Singh, Advocate, for the appellant.
Mr. Rahul Pathania, Advocate,
for Mr. R.C. Kapoor, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

Through this appeal, the appellant-claimant has sought enhancement of compensation, modifying impugned award dated 13.10.2004 of the Motor Accident Claims Tribunal, Fast Track Court, Ambala (for short 'the Tribunal').

Both the parties are *ad idem* that this appeal has to be disposed of as per calculation furnished by learned counsel for the appellant-claimant, which is taken on record Mark 'A'.

As per calculation (Mark 'A'), the total amount of compensation payable to appellant-claimant comes to ₹7,00,000/- less ₹3,00,000/-, already awarded by the learned Tribunal. Meaning thereby, the appellant-claimant is entitled to ₹4,00,000/- more over and above the

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compensation awarded by the learned Tribunal.

In view of the above, the appellant-claimant is held entitled to compensation of ₹4,00,000/- more over and above the amount of ₹3,00,000/- already awarded by the learned Tribunal, vide Award impugned herein. Respondent No.3-Insurance Company, through its counsel is directed to deposit the aforesaid enhanced amount of compensation before the learned Tribunal within one month from today, along with up-to-date interest @ 7.5% per annum from the date of filing of claim petition till realization, for onward disbursement to the appellant-claimant in accordance with law against proper receipt and identification.

In case aforesaid enhanced amount is not deposited within stipulated time, Insurance Company would be liable to pay the same with interest @15% per annum from the date of institution of claim petition till realization.

Disposed of.

September 25, 2019
R.S.

(Ramendra Jain)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No