

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

208

FAO-2955-2008

Date of Decision : December 16, 2019

GIANI RAM AND ANOTHER

.....Appellants

VERSUS

SATVINDER SINGH AND OTHERS

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Arvind Seth, Advocate
for the appellants.

Mr. R.C.Kappr, Advocate
for respondent No.3-Insurance Company.

NIRMALJIT KAUR, J. (Oral)

While praying for enhancement of the compensation granted vide award dated 23.1.2008 passed by the Motor Accident Claims Tribunal, Kaithal (for short the 'Tribunal') learned counsel for the appellants submitted that no amount has been granted towards future prospects which should have been 40% and that Rs.70,000/- should have been granted under the conventional heads instead of only Rs.10,000/- which have been granted towards funeral expenses.

Learned counsel for the respondent-Insurance Company does not dispute the legal proposition as laid down by the Hon'ble Apex Court in the judgments rendered in the cases of **National Insurance Company Limited vs. Pranay Sethi and others, 2017 AIR(SC) 5157** and **Kunjan Sadana and another Vs. Mahesh Kumar and others, SLP(C)-29193-2019.**

In view of the above settled proposition of law, the enhanced amount under both the heads as above be paid to the appellants as per the calculation provided under:-

Sr. No.	Head	Amount assessed
1	Income	Rs.3000/- p.m.
2	Future prospects @ 40%	3000 @ 40% = 1200 3000 + 1200 = 4200
3	Dependency 1/2 nd	4200 @ 1/2 nd = 2100
4	Multiplier	2100 x 12 x 18 = Rs.4,53,600/-
5	Conventional Heads	Rs.70,000/-
6	Total	Rs.5,23,600/-
7	Compensation awarded by the Tribunal	Rs.2,05,000/-
8	Differences	Rs.3,18,600/-

Accordingly, the present appeal is allowed to the said extent. The enhanced amount of Rs.3,18,600/- 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.

December 16, 2019
ajay-1

(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No