

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

**FAO No. 6947 of 2011 (O&M)
Date of Decision: March 14, 2019**

Reliance General Insurance Company Limited

.....APPELLANT

VERSUS

Rakesh Devi and others

....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Arun Sharma, Advocate for
Mr. Tajender K.Joshi, Advocate
for the appellant.

Mr. Chanderhas Yadav, Advocate
for respondents No. 1 and 2.

SURINDER GUPTA, J.(Oral)

Heard.

This is appeal filed by Reliance General Insurance Company Limited against the award dated 04.08.2011 passed by Motor Accident Claims Tribunal, Narnaul allowing compensation of ₹3,75,000/- for the death of Rahul, aged 10 years in a motor vehicle accident with Pick Up Van bearing Registration No. RJ-18GA-0490.

Learned counsel for the appellant has only pressed the issue of quantum of compensation awarded by the Tribunal, as such, detailed facts of the case are being skipped for the sake of brevity.

Learned counsel for the appellant submits that the deceased was 10 years of age and was not an earning member of the family, as such, the Tribunal has wrongly assessed the loss of dependency of claimants, who are parents of the deceased, as ₹2,25,000/-. The awarded amount of compensation of ₹75,000/- towards future prospectus and a sum of ₹75,000/- towards non-pecuniary heads are also on higher side.

Learned counsel for the respondents has relied on observations of Hon'ble Apex Court in the case of ***Kishan Gopal and another Versus Lala and others, 2013(4) R.C.R.Civil 276*** where for a child aged 10 years who died in an accident in the year 1992 was awarded compensation of ₹4,50,000/-.

In this case, the accident had taken place on 18.11.2009 and taking note of ratio of the judgment in the case of ***Kishan Gopal (Supra)***. I do not find that the compensation of ₹3,75,000/- awarded to the claimants by the Tribunal calls for any interference. This appeal has no merits.

Dismissed.

March 14, 2019

Jyoti-II.

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No