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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-162-2013

Date of Decision: November 07, 2019

Rani and others

.....Appellants

Versus

Pritam Singh and others

.....Respondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.Raj Kumar Rana, Advocate
for the appellants.

Mr.Rajesh Duhan, Advocate
for respondent No.1.

Mr.Ajay Kumar, Advocate for
Mr.Rajesh Verma, Advocate
for the respondent-Insurance Company.

.....

NIRMALJIT KAUR, J. (ORAL)

Learned counsel for the appellants while praying for enhancement of the Award dated 07.12.2009 passed by the Motor Accident Claims Tribunal, Patiala, contended that nothing has been granted towards future prospects and the deduction too should have been 1/5th instead of 1/3rd taking into account that there were seven claimants. However, multiplier should be 16 instead of 15 taking into account that age of the deceased was 35 years. It is further stated that under the conventional heads, the claimants are entitled to ₹70,000/- whereas only ₹10,000/- has been awarded.

Learned counsel for the respondent, however, is not able to dispute the same in view of the judgment of Hon'ble Apex Court in **National**

680 and states that claimants are entitled to future prospects @40%.

In view of the above, the Award is modified as per the calculations provided hereunder:

Head	Amount
Monthly Income	₹3000.00
Future prospects @ 40%	₹1200.00
Total Monthly income	₹4200.00
1/5 th deduction as personal expenses	₹840.00
Monthly dependency	₹3360.00
Annual Dependency	₹40,320.00
Multiplier	16
Loss of dependency	₹6,45,120.00
Conventional Head	₹70,000.00
Total compensation	₹7,15,120.00
Compensation awarded by Tribunal	₹3,70,000.00
Difference in compensation	₹3,45,120.00
Enhancement of compensation	₹3,45,120.00

The enhanced amount of ₹3,45,120.00, as per the above calculation, be paid to the appellant-claimants alongwith interest @ 6% per annum from the date of filing of the claim petition in the same terms as held by the Tribunal within two months from the date of receipt of a certified copy of this order. In case the said amount is not deposited within two months from the date of receipt of a copy of this order, the same shall be deposited alongwith interest @ 12% from the expiry of the said two months.

Disposed of accordingly.

November 07, 2019
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(NIRMALJIT KAUR)
JUDGE

1. Whether speaking/reasoned ?

2. Whether reportable ?
- Yes/No
Yes/No