

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

246

FAO-1652-2016 (O&M)

Date of decision: 24.01.2019

MANISH KUMAR ETC

... Appellants

Versus

KULWANT SINGH @ KANTA AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Ms. Meenu Salwan, Advocate for the appellants.
Ms. Anamika Mehra, Advocate for the insurance company.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Sunita Rani in a motor vehicular accident that took place on 06.03.2015.

The Tribunal has awarded compensation of Rs.2,84,000/-,
detailed hereunder:-

1. Monthly value of services of the deceased	Rs.2000/-
2. Multiplier	11
3. Loss of dependency	Rs.2,64,000/-
4. Expenses on last rites	Rs.10,000/-
5. Loss of consortium to the spouse	Rs.10,000/-

The occurrence in question happened in March, 2015. The application for compensation has been filed by two adult sons and husband of the deceased. A house maker has multifarious duties to perform. Taking a clue from the minimum wage available at the relevant time coupled with that a housemaker is available to the family round the clock besides performing social obligations etc., value of services of the deceased is assessed at Rs.10,000/- per month. No deduction for personal expenses is to be allowed in the light of Division Bench judgment of this Court **Paramjit**

Singh and another Vs. Dilbagh Singh @ Bagga and others, 2013(3) Law

Herald 2730.

The Tribunal has rightly applied multiplier of 11 as the deceased was in the age bracket of 51 to 55 years. In this manner, loss of dependency is calculated at Rs.13,20,000/- (10,000 x 12 x 11).

Under conventional heads, claimants shall be entitle to Rs.55,000/-, detailed hereunder:-

1. Loss of consortium	Rs.40,000/-
2. Expenses on last rites	Rs.15,000/-

Total compensation is Rs.13,75,000/- and the additional amount is Rs.10,91,000/- (13,75,000 - 2,84,000), payable with interest @ 7.5% per annum from the date of petition till realization to Sh. Bhushan Kumar, husband of the deceased.

The appeal is partly allowed in the aforesaid terms.

24.01.2019

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No