

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

247

FAO-3234-2015 (O&M)

Date of decision: 05.03.2019.

ROHTASH AND ANR

... Appellants

Versus

RAMESH KUMAR AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Rao Ajender Singh, Advocate for the appellants.
Mr. Deepak Negi, Advocate for
Mr. Sachin Ohri, Advocate for the insurance company.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Kalu Ram in a motor vehicular accident that took place on 12.07.2013.

The Tribunal has awarded compensation of Rs.5,86,600/-, detailed hereunder:-

1. Monthly income of the deceased	Rs.5400/-
2. Multiplier	13
3. Deduction for personal expenses	1/3 rd
4. Loss of dependency	Rs.5,61,600/-
5. Expenses on funeral	Rs.25,000/-

Claimants shall be entitle to addition in income for future prospects @ 10%. Income of the deceased, multiplier and deduction for personal expenses applied by the Tribunal are correct and affirmed. In this manner, loss of dependency is calculated at Rs.6,17,760/- [(5400 x 12 x 13) + (10% future prospects) – (1/3rd deduction for personal expenses)].

Under conventional heads, claimants shall be entitle to Rs.30,000/-, detailed hereunder:-

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

Total compensation is Rs.6,47,760/- and the additional amount is Rs.61,160/- (6,47,760 - 5,86,600), payable with interest @ 7.5% per annum from the date of petition till realization, to Pinto, minor son of the deceased, to be invested in fixed deposit till he attains the age of majority or

for a period of three years, whichever is later.

The appeal is partly allowed in the aforesaid terms.

05.03.2019

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No