

FAO- 2542 of 2016(O&M)
Date of Decision: 15.1.2019

Manjit Dhiman and others

---Appellants

versus

Satish Kumar and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. N.S.Panwar, Advocate
for the appellants**

Rekha Mittal, J.

The present appeal directs challenge against award dated 14.1.2016 passed by the Motor Accidents Claims Tribunal, Chandigarh (in short “the Tribunal”) whereby compensation has been assessed on account of death of Rajinder Kumar in a motor vehicular accident that took place on the intervening night of 15.8.2015.

Counsel for the appellants, in response to a query, would fairly concede that when the facts and circumstances of the present case are examined in the light of judgment of Hon'ble the Supreme Court **National Insurance Company Limited vs. Pranay Sethi and others 2017 SCC 1270**, there is no scope for enhancement of compensation over and above what has been allowed by the Tribunal.

I have gone through the award passed by the Tribunal and find that there is no justification for allowing compensation more than what has been allowed by the Tribunal. As a matter of fact, the Tribunal has allowed addition in income for future prospects @30% as against 25% admissible in

the light of **Pranay Sethi and others' case (supra)**. Even compensation allowed under conventional heads is much more than what can be allowed in the light of aforesaid judgment.

In view of what has been discussed hereinabove, finding no merit, the appeal fails and is disposed of accordingly.

(Rekha Mittal)
Judge

15.1.2019

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No