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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-2549-2016

Date of Decision: October 14, 2019

Balhar Singh and another

Versus

.....Appellants

Vijay Pal and another

.....Respondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.Shakti Mehta, Advocate
for the appellants.

Mr.Punit Jain, Advocate
for respondent No.2-Insurance Company.

.....

NIRMALJIT KAUR, J. (ORAL)

Learned counsel for the parties agree that the income should have been assessed as ₹6247/- as the minimum wages instead of ₹5,000/- as per the notification qua the minimum wages for skilled labourer. Taking into account that the deceased is survived by his parents, claimants are also entitled to ₹70,000/- under the conventional head, whereas only ₹25,000/- has been granted under this head. Learned counsel for the appellants is also not able to dispute that future prospects should have been @ 40%, whereas 50% has been granted.

In view of the above, the appellants are entitled to the enhanced amount as per the calculations provided hereunder:

Head	Amount
Monthly Income	₹6247.00
Future prospects @ 40%	₹2498.00
Total Monthly income	₹8745.00

50% deduction as personal expenses	₹4372.00
Monthly dependency	₹4372.00
Annual Dependency	₹52,464.00 (₹4372.00 x 12)
Multiplier	18
Loss of dependency	₹9,44,352.00
Conventional head	₹70,000.00
Total compensation	₹10,14,352.00
Compensation awarded by Tribunal	₹8,35,000.00
Enhancement of compensation	of ₹1,79,352.00

The enhanced amount of ₹1,79,352.00, 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.

October 14, 2019
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(NIRMALJIT KAUR)
JUDGE

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|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |