

FAO-5246 of 2014(O&M)
Date of Decision: 21.1.2019

Ranbir Kaur and others

---Appellants

versus

Jagbir Singh and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Ms. Ekta Thakur, Advocate
for the appellants

Mr. Sarabjit Singh, Advocate,
for respondent No. 1

Mr. Inderjit Sharma, Advocate
for respondent No. 2

Rekha Mittal, J.

The claimants are in appeal seeking enhancement of compensation on account of death of Dhanvir in a motor vehicular accident that took place on 27.1.2013.

The Motor Accidents Claims Tribunal, Chandigarh (in short “the Tribunal”) has awarded compensation of Rs.12,95,000/-, detailed hereunder:-

Monthly income of the deceased	Rs. 10,000/-
Deduction for personal expenses	1/3 rd
Multiplier	13
Loss of dependency	Rs. 11,70,000/-
Transportation, funeral and last rites expenses	Rs. 25,000/-
Loss of consortium	Rs. 1,00,000/-

The Tribunal has not allowed addition in income for future

prospects @ 10% as the deceased was 50 years old at the time of occurrence. Even if claimants are allowed benefit of future prospects and compensation under conventional heads is allowed in the light of judgments of Hon'ble the Supreme Court **National Insurance Company Limited vs. Pranay Sethi and others 2017 SCC 1270** and **Sebastiani Lakra and others vs. National Insurance Company Limited and another AIR 2018 SC 5034**, net result would be that there is no addition in compensation over and above what has been allowed by the Tribunal. In this view of the matter, claim for enhancement of compensation is liable to be rejected and ordered accordingly.

For the foregoing reasons, the appeal is dismissed leaving the parties to bear their own costs.

(Rekha Mittal)
Judge

21.1.2019

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No