

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

-.-

FAO 3001 of 2016 (O&M)

Date of decision: 10.05.2019

Lakhvir Singh and another

.....Appellants

Versus

Amarjit Singh and others

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Mayank Mathur, Advocate
for the appellants

Mr. Vinod Gupta, Advocate
for the respondent insurance company

-.-

Rekha Mittal, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Gurmail Kaur in a motor vehicular accident that took place on 14.06.2013.

The Tribunal awarded Rs.3,41,000/-, detailed hereunder:-

-Monthly loss of value of services of deceased	Rs.3,000/-
-Deduction for personal expenses	1/3 rd
-Multiplier	9
-Loss of dependency	Rs.2,16,000/-
-Loss of love and affection	Rs.1,00,000/-
-Funeral expenses	Rs.25,000/-

The Tribunal has assessed value of services of the deceased at Rs.3,000/-. Taking a clue from the notification issued by the State of Punjab fixing minimum wage coupled with that a house maker has multifarious

duties to perform, value of services of deceased is assessed at Rs.5,000/-. No deduction for personal expenses is to be made in the light of Division Bench judgment of this Court *Paramjit Singh and another vs Dilbagh Singh alias Bagga & others 2013 (3) Law Herald 2730*. Multiplier applied by the Tribunal is correct and affirmed. Accordingly, loss of dependency is calculated at Rs.5,40,000/- (5,000/-x 12 x 9).

Under conventional heads, compensation allowed by the Tribunal is modified to the effect that the claimants shall be entitle to Rs.15,000.00 for funeral expenses.

Total compensation is Rs.5,55,000.00 and additional amount is Rs.2,14,000.00 (5,55,000.00-3,41,000.00) payable with interest @ 7.5% per annum from the date of petition till realization.

In view of what has been discussed hereinabove, the appeal is partly allowed in the aforesaid terms.

(Rekha Mittal)
Judge

10.05.2019
Mohan Bimbura

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No