

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

229

**FAO-3014-2016**

Date of Decision : October 01, 2019

CHARANJIT KAUR AND ORS

.....Appellants

***VERSUS***

ANIT MJ AND ORS

.....Respondents

**CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR**

Present : Mr. H.S.Rakhra, Advocate for the appellants.

Mr. Amit Kundra, Advocate  
for respondent No.3-Insurance Company.

**NIRMALJIT KAUR, J. (Oral)**

While praying for enhancement of the amount granted vide award dated 1.12.2015, learned counsel for the appellants submitted that the pension of the deceased was Rs.12,630/- and having retired early from Army, he was doing his dairy farming and also looking after his land. Therefore, the income should have been accordingly assessed. Secondly, Rs.70,000/- should have been awarded under the conventional heads whereas only Rs.17,500/- was granted.

Admittedly, the income has been assessed as Rs.8420/- per month. There is no evidence with respect to the deceased earning through dairy farming. Accordingly, there is no ground to enhance the income already assessed.

However, there is merit in the argument with respect to the compensation awarded under the conventional heads. Accordingly, the same is required to be granted Rs.70,000/- and not Rs.17,500/- under this head.

In view of the above, the appellants-claimants are entitled to the enhanced amount of Rs.52,500/-.

Accordingly, the present appeal is allowed to the said extent. The enhanced amount of Rs.52,500/- be deposited within two months from the receipt of certified copy of this order alongwith the interest already granted by the Tribunal from the date of the claim petition till its realization.

However, in case the same is not deposited within two months, the same shall thereafter be deposited alongwith interest @ 12% till payment after the expiry of two months.

October 01, 2019  
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(NIRMALJIT KAUR)  
JUDGE

|                            |   |        |
|----------------------------|---|--------|
| Whether speaking/reasoned. | : | Yes/No |
| Whether Reportable.        | : | Yes/No |