

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

FAO No. 5081 of 2016(O&M)

Date of Decision: November 28 , 2019.

Mamta and others APPELLANT (s)

Versus

Rattan Lal and others RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. K.S.Dhanora, Advocate
for the appellants.

LISA GILL, J.

CM No.17473-CII of 2016

There is a delay of 11 days in filing of the appeal.

For the reasons mentioned in the application, duly supported by an affidavit of the applicant, as well as arguments addressed, delay of 11 days in filing of the appeal is condoned.

Application is disposed of.

FAO No.5081 of 2016

This is an appeal preferred by the claimants seeking enhancement of compensation awarded to them by the learned Motor Accident Claims Tribunal, Kurukshetra (for short, the 'Tribunal') vide impugned award dated 10.12.2015 on account of death of Naveen Kumar in a motor vehicle accident which took place on 11.02.2015. A petition under Sections 166/140 of the Motor Vehicles Act,

1988 was filed by the appellants claiming compensation of ₹35,00,000/-.

Learned Tribunal on consideration of the facts and evidence on record, awarded a total sum of ₹18,17,358/- to the appellants. Income of the deceased-Naveen Kumar was assessed as ₹9,900/- per month by the learned Tribunal while considering the fact that he was a regular student of Civil Engineering. The deceased was held to be 20 years old at the time of the accident. An increment at the rate of 50% was afforded on account of future prospects. Deduction to the extent of 50% was effected on account of personal expenses and multiplier of 18 was applied. ₹1,88,558/- was awarded on account of medical expenses, which were proved on record. A sum of ₹25,000/- was awarded towards transportation and funeral expenses.

Learned counsel for the appellants fairly states that in view of the judgment of the Hon'ble Supreme Court in **National Insurance Company Limited v. Pranay Sethi and others, 2017(16) SCC 680**, there is no scope for any further enhancement of the total compensation awarded to the appellants by the learned Tribunal.

No interference is called for in impugned award dated 10.12.2015 passed by learned Motor Accident Claims Tribunal, Kurukshetra.

Consequently, this appeal is dismissed with no order as to cost.

November 28 , 2019.
'om'

(**LISA GILL**)
JUDGE

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