

FAO No.5178 of 2016 (O&M)

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

FAO No.5178 of 2016 (O&M)
Date of decision: 21.08.2019

Amandeep Singh and others

.....Appellants

versus

Rajwinder Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Varun Garg, Advocate, for the appellants.
None for respondents No.1 and 2.
Mr. Vinod Gupta, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

Through instant appeal, appellant-claimants have sought enhancement to compensation awarded by learned Motor Accident Claims Tribunal, Sangrur (in short the 'Tribunal') vide award dated 02.11.2015.

Heard.

Both the parties are *ad idem* that compensation in the instant case has to be calculated in accordance with judgment of the Hon'ble Supreme Court in ***National Insurance Company Limited v. Pranay Sethi and others***, 2017(4) R.C.R.(Civil) 1009. Some compensation awarded to the appellants by the learned Tribunal is adequate, but under the conventional heads i.e. loss of estate and consortium compensation awarded by the learned Tribunal to the tune of ₹30,000/- is to be enhanced to ₹70,000/-.

Ordered accordingly.

Enhanced amount of ₹40,000/- along with interest @ 7.5% per

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annum from the date of institution of claim petition till realization shall be deposited by Respondent No.3 – Insurance Company within one month from today before the learned Tribunal for onward disbursement of the same to the appellants in proportion so arrived at by the Tribunal in accordance with law against proper receipt and identification. In case aforesaid enhanced amount is not deposited within stipulated time, Insurance Company would be liable to pay the same with interest @18% from the date of institution of claim petition till realization.

Disposed of.

(Ramendra Jain)
Judge

August 21, 2019
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No