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

FAO-536-2016

Date of Decision: September 05, 2019

Charanjit Kaur and othersAppellants
Versus
Sukhminder Singh @ Sukhwinder Singh and othersRespondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.Rishav Jain, Advocate for
Ms.Monika Jalota, Advocate
for the appellants.

Mr.Nitin Kaushal, Advocate with
Mr.Tarun Kumar, Advocate
for respondent Nos.1 to 3.

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NIRMALJIT KAUR, J. (ORAL)

The present appeal is filed by the claimants for enhancement of the compensation granted to them vide Award dated 03.10.2015 passed by the Motor Accident Claims Tribunal, Patiala, vide which ₹8,81,000/- was granted.

While praying for enhancement, it is stated by learned counsel for the appellants that future prospects have not been granted and the claimants are entitled to 40% future prospects. This fact is not disputed by learned counsel for the respondent-Insurance Company in view of the well settled proposition of law and the various judicial pronouncements. However, he states that the amount granted under the 'Conventional head' is excessive, which should be reduced to ₹30,000/-, which learned counsel for the appellants is also not in a position to dispute.

In view of the above, the following amount is calculated as per

the calculations provided hereunder:

Head	Amount
Monthly Income	₹7,000.00
Future prospects @ 40%	₹2800.00
Total Monthly income	₹9,800.00
50% deduction as personal expenses	₹4,900.00
Monthly dependency	₹4,900.00
Annual Dependency	₹58,800.00
Multiplier	18
Loss of dependency	₹10,58,400.00 (₹58,800.00 x 18)
Loss of estate	₹15,000.00
Funeral expenses	₹15,000.00
Total compensation	₹10,88,400.00
Compensation awarded by Tribunal	₹8,81,000.00
Difference in compensation	₹2,07,400.00
Minus ₹95,000 granted under conventional heads by Ld.Tribunal	₹1,12,400.00 (₹2,07,400.00 - ₹95,000.00)
Enhancement of compensation	₹1,12,400.00

The enhanced amount of ₹1,12,400.00, as per the above calculation, be paid to the appellant-claimants alongwith interest @ 6% per annum from the date of filing of the claim petition in the same terms as held by the Tribunal within two months from the date of receipt of a certified copy of this order. In case the said amount is not deposited within two months from the date of receipt of a copy of this order, the same shall be deposited alongwith interest @ 12% from the expiry of the said two months.

Disposed of accordingly.

September 05, 2019
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(NIRMALJIT KAUR)
JUDGE

1. Whether speaking/reasoned ?
2. Whether reportable ?

Yes/No
Yes/No