

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

224

FAO-6675-2015

Date of Decision : September 16, 2019

JAI DEI @ SOMWATI AND ORS

.....Appellants

VERSUS

SATISH KUMAR AND ORS

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Bahadur Singh, Advocate
for the appellants.

Mr. Saurabh Bhardwaj, Advocate for
Mr. Gaurav Thakur, Advocate
for respondents No.1 and 2.

Mr. Sushanshu Makkar, Advocate
for respondent No.3.

NIRMALJIT KAUR, J. (Oral)

The present appeal is filed for enhancement of the amount granted by the Motor Accident Claims Tribunal, Panchkula (for short the 'Tribunal') vide award dated 10.7.2015 vide which Rs.7,73,000/- was awarded.

While praying for enhancement, learned counsel for the appellants submitted that the multiplier of 9 should have been applied instead of 8 taking into account the age of the deceased as 60 years at the time of the accident. It is further stated that the future prospects @ 10% should have been granted whereas nothing was granted by the Tribunal.

Learned counsel for the respondent-Insurance Company is not able to dispute that the appellants were entitled to the multiplier of 9

and the future prospects @ 10% in view of the well settled proposition of law.

In view of the above, the appellants-claimants are entitled to the enhanced amount as per the calculation provided:-

Sr. No.	Head	Amount assessed
1	Income	Rs.9000/- p.m.
2	Future prospects @ 10%	9000 + 900 = 9900
3	Deduction 1/4 th	9900-2475 = 7425
		7425 x 12 = Rs.89,100/-
4	Multiplier	89,100 x 9 = 8,01,900
5	Compensation awarded by the Tribunal	Rs.7,73,000/-
6	Differences	Rs.28,900/-

Accordingly, the present appeal is allowed to the said extent. The enhanced amount of Rs.28,900/- be deposited within two months from the receipt of certified copy of this order alongwith 6% interest 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.

September 16, 2019
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(NIRMALJIT KAUR)
JUDGE

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