

FAO No.9244 of 2014

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

FAO No.9244 of 2014
Date of decision: 05.07.2019

Prem Lal and another

.....Appellants

versus

Mahmood and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. N.S. Panwar, Advocate, for the appellants.
Mr. Harsh Aggarwal, Advocate, for respondent No.3.

RAMENDRA JAIN, J. (ORAL)

Prayer through instant appeal has been made for enhancement of amount of compensation awarded to appellant-claimants by the Motor Accident Claims Tribunal, Sonipat, vide award dated 26.08.2014.

Both the parties are *ad idem* that this appeal has to be decided in accordance with the judgment of the Hon'ble Supreme Court in ***National Insurance Company Limited v. Pranay Sethi and others, 2017(4) R.C.R. (Civil) 1009.***

Learned counsel for appellants has produced the calculation sheet in accordance with ***Pranay Sethi's*** case (supra) in Court. The same is taken on record as Annexure-A. As per calculations, appellants are entitled to compensation of ₹2,98,918.4/- over and above the compensation already awarded by the Tribunal, which is not refuted by learned counsel for respondent No.3 – Insurance Company.

Consequently, appellants are awarded enhanced compensation of ₹2,98,918.4/- over and above the amount of compensation already

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granted to them by the Tribunal along with interest @ 7.5% per annum from the date of institution of claim petition till realization. Respondent No.3 – Insurance Company is directed to deposit the amount aforesaid within one month from today before the 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 @15% from the date of institution of claim petition till realization.

Disposed of.

(Ramendra Jain)
Judge

July 05, 2019
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No