

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No. 7881 of 2015
Date of Decision: April 12, 2019

Jagir Singh and another Appellant(s)
Versus
Sajjan Singh and others Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Rajesh Goyal, Advocate for
Mr. Pritam Saini, Advocate
for the appellants.

LISA GILL, J.(oral)

This appeal has been filed seeking enhancement of the compensation awarded to the claimants vide award dated 10.07.2015, passed by learned Motor Accident Claims Tribunal, Kurukshetra (hereinafter referred to as 'the Tribunal) on account of death of their son Sukhwinder Singh.

Deceased Sukhwinder Singh was held to be 26 years old at the time of the accident. His income was assessed as Rs.8,100/- per month on the basis of the rate fixed by the Deputy Commissioner, Kurukshetra, in respect to a casual labourer. Learned Tribunal awarded a sum of Rs. 12,64,300/- to the appellants-claimants, the detail of which is as under:-

<i>Sr.No.</i>	<i>Heads of Claim</i>	<i>Amount</i>
1.	Income	8,100/- per month
2.	Total income after addition at the rate of 50% on account of future prospects	8100 + 4050 = 12,150/-
3.	Income after deducting 1/2 on account of personal and living expenses	12150 - 6075 = 6075/- # 72,900/- per annum
4.	Total dependency after applying a multiplier of 17	72,900 x 17 = 12,39,300/-

5.	Transportation and funeral expenses	25,000/-	SUNIL 2019.04.15 12:13 I attest to the accuracy and authenticity of this document
	Grand Total	Rs.12,64,300/-	

There is no challenge to the income as assessed by the learned Tribunal in this case. Keeping in view the quantum of compensation already afforded to the claimants and keeping in view the judgments of Hon'ble Supreme Court in **National Insurance Company Limited v. Pranay Sethi and others, 2017(16) SCC 680** and **Magma General Insurance Company Ltd. v. Nanu Ram Alias Chuhru Ram & Ors. 2018(4) RCR Civil 333**, learned counsel for the appellants submits that he has specific instructions to withdraw this appeal.

Appeal is accordingly dismissed as withdrawn.

(Lisa Gill)
Judge

April 12, 2019
Sunil

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