

228

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.1083 of 2017 (O&M)
Date of Decision: 27.11.2019

Ashok

....Appellant

Versus

Satpal and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Dinesh Maurya, Advocate for
Mr. G.S.Sandhu, Advocate, for the appellant.

Mr. Vinod Chaudhari, Advocate,
for respondent No.3-Insurance Company.

NIRMALJIT KAUR, J. (ORAL)

CM-3539-CII-2017

For the reasons mentioned in the application, the delay of 27 days in filing of the appeal is condoned.

CM stands allowed.

Main appeal

Learned counsel for the parties do not dispute that the multiplier of 14 should have been applied instead of 12 in view of the settled proposition of law laid down by Hon'ble the Apex Court in the case of National Insurance Company Ltd. versus Pranay Sethi and others, (2017) 16 SCC 680.

In view of the above, the compensation is now re-assessed as per the calculation provided under:-

Sr. No.	Head	Amount assessed
1	Income	6600/- per month
2	Loss of income towards 40% disability	6600 x 40% = 2640/-
3	Loss of dependancy and multiplier of 14	2640 x 12 x 14 = 4,43,520/-
4	Medical expenses	46424/-

Sr. No.	Head	Amount assessed
5	Pain and suffering	20000/-
6	Attendant charges, special diet, transportation etc.	20000/-
7	Total	5,29,944/-
8	Awarded by the Tribunal	466584/-
9	Enhanced amount	63,360/-

Thus, the enhanced compensation of ₹ 63,360/- be paid to the appellants within two months from the receipt of certified copy of this order alongwith 6% interest per annum from the date of filing of claim petition. In case the said amount is not paid within two months, the same shall be paid thereafter alongwith 12% interest from the expiry of the period of two months.

(NIRMALJIT KAUR)
JUDGE

27.11.2019
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No