

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

FAO No. 1161 of 2017(O&M)

Date of decision: 26.8.2019

Sudesh Kumari through LR's and anotherAppellants

VERSUS

Satnam Singh and othersRespondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Pankaj Katia, Advocate for the appellants.

REKHA MITTAL, J. (Oral)

CM No.3829-CII of 2017

Prayer in this application is for impleading legal representatives (in short 'LRs') of Sudesh Kumari (since deceased) – appellant No.1.

In view of averments made in the application supported by an affidavit of Rajesh Kakkar, the applicant, the application is allowed and Mr. Rajesh Kakkar is allowed to be impleaded as LR of deceased Sudesh Kumari, being her biological son subject to just exceptions and for the purpose of present lis.

Amended memo of parties is taken on record.

Disposed of accordingly.

FAO No.1161 of 2017

The claimants are in appeal seeking enhancement of compensation awarded by the Motor Accidents Claims Tribunal, Bathinda

(in short ‘the Tribunal’) on account of death of Mangat Ram in a motor vehicular accident that took place on 14.06.2014.

The Tribunal awarded Rs.6,50,000/-, detailed hereunder:-

Monthly income of the deceased	Rs.15000/-
Deduction for personal expenses	1/3 rd
Multiplier	5
Loss of dependency	Rs.6,00,000/-
Expenses on funeral	Rs.25000/-
General damages	Rs.25,000/-

The sole submission made by counsel for the appellants is that compensation allowed by the Tribunal under conventional heads is inadequate and needs enhancement.

I have gone through the award but find no justification for allowing additional compensation particularly in the circumstances that widow of the deceased also died during pendency of proceedings before the Tribunal.

In view of the above, finding no merit, the appeal fails and is accordingly dismissed in limine.

AUGUST 26, 2019

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no