

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

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FAO No.125 of 2017 (O&M)

Date of decision: 28.05.2019

NARINDER SINGH & ORS

... Appellants

Versus

BALWINDER SINGH & ANR

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Gaurav Tyagi, Advocate for the appellants.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Kamalpreet in a motor vehicular accident that took place on 03.06.2013.

The Tribunal awarded Rs.10,43,164/-, detailed hereunder:-

1. Monthly income of the deceased	Rs.6655/-
2. Addition in income for future prospects	50%
3. Multiplier	17
4. Deduction for personal expenses	50%
5. Loss of dependency	Rs.10,18,164/-
6. Loss of love and affection to parents and brother, funeral expenses and loss of estate	Rs.25,000/-

The Tribunal has allowed addition in income for future prospects @ 50% as against 40% admissible in the light of judgment of Hon'ble the Supreme Court **National Insurance Company Limited Vs. Pranay Sethi and Ors., 2017 SCC 1270**. Even the minimum wage at the relevant time was far below than income assessed by the Tribunal. In the given circumstances, there is no scope for allowing additional compensation.

For the foregoing reasons, finding no merit, the appeal fails and is accordingly dismissed in limine. As the appeal has been decided on merits, applications for condonation of delay are of academic relevance.

28.05.2019

ashok

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No