IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-758-2016 (O&M)
Date of Decision : 19.11.2019

Amit Singhal and another ...... Appellants

Versus

Ram Karan Yadav and others ...... Respondents

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

***

Present : Mr. Surender Deswal, Advocate
for the appellants.

Service of respondent Nos.1 and 2 already dispensed with vide order dated 27.08.2019.

Mr. Ashwani Talwar, Advocate
for respondent No.3-Insurance Company.

***

RAMENDRA JAIN, J. (Oral)

Through this appeal, the claimants have sought enhancement of compensation, modifying the impugned award dated 13.05.2015 of the Motor Accident Claims Tribunal, Gurgaon (for short 'the Tribunal') whereby they have been awarded a sum of Rs.5,00,000/- alongwith interest @ 9% per annum from the date of filing of claim petition till realization, on account of the death of their minor son Lakshay Singla, aged around 17 years on 18.04.2005, in a motor vehicular accident.

Learned counsel for appellant relying upon the judgment of Co-ordinate Bench of this Court in ***Arun Kumar and others vs. Satya Parkash Yadav and others*** (in FAO-5030-2014, decided on 13.11.2019), contends that in similar circumstances a sum of Rs.7,55,760/- has been awarded to the parents of deceased, taking his notional income at Rs.4800/- per month.

Learned counsel for respondent No.3-Insurance Company has not shown any law contrary to the aforesaid judgment.

Thus, relying upon the judgment of **Arun Kumar's case** *(supra)***,** the compensation, awarded to appellants-claimants, is enhanced from Rs.5,00,000/- to Rs.7,55,560/-. Impugned award is modified to the above stated effect. Enhanced amount shall be deposited by respondent No.3-Insurance Company within one month from today, along with up-to-date interest @ 7.5% per annum from the date of filing of claim petition till realization, for onward disbursement to the appellant-claimants, in proportion so arrived at by it, 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% per annum from the date of expiry of one month.

Disposed of.

(RAMENDRA JAIN)
19.11.2019 **JUDGE**
mamta

Whether speaking/reasoned Yes/No
Whether Reportable Yes/No