

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

281

FAO No.2652 of 2018 (O&M)

Date of decision: 01.04.2019

DEENU

... Appellant

Versus

JUNED AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Arjun Atri, Advocate for the appellant.

REKHA MITTAL, J. (Oral)

The claimant is in appeal seeking enhancement of compensation on account of death of Sabra, wife of the appellant in a motor vehicular accident that took place on 29.03.2016.

The Tribunal has awarded Rs.3,65,000/-, detailed hereunder:-

1. Monthly value of services of the deceased	Rs.4000/-
2. Multiplier	5
3. Loss of dependency	Rs.2,40,000/-
4. Expenses on funeral	Rs.25,000/-
5. Loss of consortium	Rs.1,00,000/-

The sole submission made by counsel for the appellant is that value of services of the deceased assessed by the Tribunal is on lower side and needs enhancement.

The deceased was born on 01.01.1946 as per her date of birth recorded in the Aadhar Card, thus, she was more than 70 years of age at the time of occurrence. The Tribunal has awarded a sum of Rs.1,25,000/- under conventional heads as against Rs.55,000/- available in the light of judgments of Hon'ble the Supreme Court **National Insurance Company Limited Vs. Pranay Sethi and Ors., 2017 SCC 1270** and **Sebastiani Lakra and others vs. National Insurance Company Limited and another AIR 2018 SC 5034**, as such, claimant has been allowed Rs.70,000/- more under conventional heads. Even if value of services of the deceased is assessed at Rs.5000/- per month and loss of dependency is calculated accordingly, the net result will be reduction in compensation. In this view of the matter, I do not find any reason to interfere in quantum of

compensation assessed by the Tribunal.

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

01.04.2019

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No