

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

228

FAO-538-2017 (O&M)

Date of decision: 10.12.2019

RAMWATI

... Appellant

Versus

JAMEEL AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. BS Tewatia, Advocate for the appellant.
Mr. Amit Jaiswal, Advocate for the insurance company.

REKHA MITTAL, J. (Oral)

The claimant is in appeal seeking enhancement of compensation on account of death of Bobby in a motor vehicular accident that took place on 24/25.09.2015.

The Tribunal awarded Rs.6,73,000/-, detailed hereunder:-

Monthly income of the deceased	Rs.6000/-
Multiplier	18
Deduction for personal expenses	50%
Loss of dependency	Rs.6,48,000/-
Expenses on funeral	Rs.25,000/-

Claimant shall be entitle to addition in income for future prospects @ 40%. Other criteria followed by the Tribunal for assessing loss of dependency is correct and affirmed. In this manner, loss of dependency is calculated at Rs.9,07,200/- [(6000 x 12 x 18) + (40% future prospects) – (50% deduction for personal expenses)].

Under conventional heads, compensation awarded is modified to the effect that claimant shall be entitle to Rs.30,000/-, detailed hereunder:-

1. Expenses on last rites	Rs.15,000/-
2. Loss of estate	Rs.15,000/-

Total compensation is Rs.9,37,200/- and additional amount is Rs.2,64,200/- (9,37,200 – 6,73,000) payable with interest @ 7.5% per annum from the date of petition till realization, to be invested in fixed deposit for a period of one year.

The appeal is partly allowed in the aforesaid terms.

10.12.2019

ashok

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No