

FAO No.669 of 2017 (O&M)
Date of Decision: 19.8.2019

National Insurance Company Ltd.

.....Appellant

Versus

Shindo and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. D.P. Gupta, Advocate and
Mr. Rohit Goswami, Advocate, for the appellant.

Mr. Sarabjit Singh Hira, Advocate, for the respondents.

NIRMALJIT KAUR, J. (ORAL)

The present appeal has been filed against the award dated 5.9.2016 passed by the Motor Accident Claims Tribunal, Hoshiarpur (for short, 'the Tribunal') seeking reduction of amount of compensation awarded towards future prospects, towards love and affection as well as funeral expenses.

Learned counsel for the respondents does not dispute that as per the judgment rendered by Hon'ble the Apex Court in the case of National Insurance Company Ltd. versus Pranay Sethi and others, (2017) 16 SCC 680, the amount towards future prospects is to be granted @ 40% and not 50%. Similarly, only ₹ 30,000/- can be awarded under the head of love and affection and funeral expenses.

In view of the admitted position above, the amount of compensation awarded, shall now be reduced as per the calculation

provided as under:-

Sr. No.	Head	Amount
1.	Income	₹ 10,000/- per month
2.	Future prospects @ 40%	₹10,000/- x 40% = ₹ 4,000/-
3.	Deduction 50%	₹ 7,000/-
4.	Multiplier @ 17	₹ 7,000/- x 12x 17 = ₹ 14,28,000/-
5.	Funeral expenses	₹ 15,000/-
6.	Love and affection	₹ 15,000/-
7.	Medical charges	₹ 29,279/-
8.	Taxi Charges	₹ 1,600/-
9.	Costs of claim petition	₹ 3,000/-
	Total	14,91,879/-

In view of the above, the amount of ₹ 14,91,879/- be deposited with the Tribunal within two months from the date of certified copy of this order alongwith interest awarded by the Tribunal. The same shall be released to the claimants accordingly.

Disposed of as such.

(NIRMALJIT KAUR)
JUDGE

19.8.2019
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No