

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SUNIL
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FAO No. 6920 of 2017 (O&M)

Date of Decision: November 08, 2019

Maya Devi and others

..... Appellant(s)

Versus

Gursewak Singh and another

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Sushil Bhardwaj, Advocate
for the appellants.

LISA GILL, J.

CM No.22466 -CII of 2017

There is a delay of 8 days in filing of the appeal.

For the reasons mentioned in the application, duly supported by an affidavit of the applicant, as well as arguments addressed, delay of 8 days in filing of the appeal is condoned.

Application is disposed of.

FAO No. 6920 of 2017

This appeal has been filed seeking enhancement of the compensation awarded to the claimants vide award dated 18.02.2017, passed by learned Motor Accident Claims Tribunal, Karnal (hereinafter referred to as 'the Tribunal).

Learned Tribunal while treating the deceased to be an unskilled worker, assessed his income as Rs.7,500/- per month and awarded compensation of Rs.11,17,000/- with interest @ 9% per annum, which is detailed as under:-

Sr. No.	Heads	Calculations
1.	Income	7,500/- per month
2.	Income after addition of 15% on account of future prospects	7,500 + 1,125 = 8,625/-
3.	Income after deducting 1/4 th as personal living expenses of the deceased	8,625/- minus 2,875/- = 5,750/-
4.	Dependency after applying multiplier of 13	5,750 x 12 x 13 = 8,97,000/-
5.	Funeral expenses	20,000/-
6.	Loss of consortium to claimant no.1	1,00,000/-
7.	Loss of consortium to claimants no.2 and 3	1,00,000/-
	Total	Rs.11,17,000/-

Learned counsel for the appellants submits that in view of the judgment of Hon'ble Supreme Court in **National Insurance Company Limited v. Pranay Sethi and others, 2017(16) SCC 680**, there is no scope for any enhancement of the total compensation awarded to the claimants.

No other argument has been addressed.

In view of the above, appeal is dismissed with no order as to costs.

(Lisa Gill)
Judge

November 08, 2019

Sunil

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No