

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

FAO-5094-2018 (O&M)

Date of decision: 20.03.2019

Rani and others

...Appellants

Versus

Sarvjeet Kaur and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Navmohit Singh, Advocate
for the appellants.

H.S. MADAAN, J. (Oral)

On account of death of one Nafe Singh, in a motor vehicular accident, his legal representatives brought a claim petition under Section 166 of the Motor Vehicles Act, 1988 against owner and insurance company of offending motorcycle. Notice of the claim petition was given to respondents who put in appearance. After contest, the claim petition was accepted and vide award dated 20.03.2018, compensation of Rs.9,70,900/- was awarded to the claimants. However, the claimants have filed the present appeal being dissatisfied with the compensation awarded to them by the tribunal.

The only contention put forward by learned counsel for the appellants is that no compensation under the head 'loss of love and affection' has been granted by the tribunal.

I have gone through the award and I find that the

compensation awarded is just and adequate. The claimants have been awarded a sum of Rs.15,000/- towards loss of estate, Rs.40,000/- on account of loss of consortium and Rs.15,000/- towards funeral expenses, in addition to the compensation calculated towards loss of dependency. In view of judgment passed by the Apex Court in **National Insurance Company Limited Versus Pranay Sethi and Ors., 2017(4) RCR(Civil) 1009**, no compensation under the head 'loss of love and affection' is payable. Therefore, the tribunal has rightly not awarded any compensation under that head. No fault can be found in the impugned award. The appeal lacks merit and is dismissed.

20.03.2019

sumit.k

(H.S. MADAAN)
JUDGE

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