

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

FAO No. 880 of 2017 (O&M)

Date of decision : 29.10.2019

Bachan Kaur @ Gurbachan

...Petitioner

versus

Mehar Chand and others.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Gunjan Gera, Advocate for the appellant.

RITU BAHRI, J. (Oral)

The present appeal has been preferred by the claimant-appellant, seeking enhancement of the amount of compensation awarded by the learned Motor Accident Claims Tribunal, Patiala (for short, 'the Tribunal') to the tune of Rs. 2,93,000/- vide impugned award dated 19.04.2016 on account of death of her husband Mangal Singh.

As per the claimant, on 17.04.2015, the deceased Mangal Singh (since deceased) was going on his Aactiva scooter bearing registration No. PB-65D-8549 from village Sanghol to village Khamano and when at about 3 pm, he reached village Khamano Khurd, Verna Car bearing registration No. PB-22F-1000 driven by respondent No. 1 in a rash and negligent manner came from the side of village Ucha Pind Sanghol and struck against the Aactiva Scooter of Mangal Singh. Due to the impact, the deceased sustained grievous injuries and shifted to Civil Hospital Khamano, where he was declared dead by the doctors. FIR was registered against the respondents.

The amount of compensation assessed by the Tribunal in this case is as under:

Sr. No.	Heads	Calculations
i)	Income	Rs. 7000/-
ii)	50% to be deducted as personal expenses of the deceased	Rs. 3500/-
Iii)	Compensation after multiplier of 4 is applied	Rs.3500/- x 12x4=Rs.1,68,000/-
iv)	For loss of consortium	Rs. 1 lac
v)	For funeral expenses	Rs. 25,000/-
vi)	Total compensation	Rs.2,93,000/-

The learned counsel for the claimant-appellant contends that the compensation awarded by the learned Tribunal is on the lower side and deserves to be enhanced.

I have heard learned counsel for the appellant and perused the record.

After going through the award passed by the learned Tribunal the income has rightly been assessed by the learned Tribunal keeping in view the minimum wages at the prevalent time. No further modification is required to be done.

Dismissed.

October 29, 2019
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(RITU BAHRI)
JUDGE