

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

-.-

Xobjc 12 CII of 2016 (O&m) in FAO 1129 of 2015
Date of decision: 29.05.2019

New India Assurance Co Limited

.....Appellants

Versus

Krishan Devi and others

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Neeraj Khanna, Advocate
for the insurance company

Mr. Ravi Gakhar, Advocate
for respondents No. 1 to 4/cross objectors

Mr. M K Singla, Advocate
for respondents No. 5 and 6

-.-

Rekha Mittal, J. (Oral)

Respondents No. 1 to 4/cross objectors pray for enhancement
of compensation on account of death of Amarjit Singh in a motor vehicular
accident that took place on 07.04.2013.

The Tribunal awarded Rs.40,50,000/-, detailed hereunder:-

-Monthly income of the deceased	Rs.25,000/-
-Deduction for personal expenses	1/4 th
-Multiplier	17
-Loss of dependency	Rs.38,25,000/-
-Loss of consortium	Rs.1,00,000/-
-Loss of love and affection	Rs.1,00,000/-
-Funeral expenses	Rs.25,000/-

Counsel for respondents No. 1 to 4/cross objectors would state

that in case income of the deceased is reduced and compensation under conventional heads is restricted to Rs.70,000/-, in light of judgments of Hon'ble the Supreme Court *National Insurance Company Limited v. Pranay Sethi and others, 2017 SCC 1270* and *Sebastiani Lakra and others vs. National Insurance Company Limited and another, 2018 AIR (SC) 5034*, but addition in income for future prospects to the extent of 40% is allowed, the cross objectors may not be entitle to additional compensation, as such, he has the instructions to withdraw the cross objections.

Ordered accordingly.

(Rekha Mittal)
Judge

29.05.2019
Mohan Bimbura

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